



*James Ellis*

Head of Legal and Democratic Services

**MEETING** : EXECUTIVE  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : TUESDAY 12 JULY 2022  
**TIME** : 7.00 PM

## **MEMBERS OF THE EXECUTIVE**

Councillor Linda Haysey	- Leader of the Council
Councillor Peter Boylan	- Executive Member for Neighbourhoods
Councillor Eric Buckmaster	- Executive Member for Wellbeing
Councillor George Cutting	- Executive Member for Corporate Services
Councillor Jan Goodeve	- Executive Member for Planning and Growth
Councillor Jonathan Kaye	- Executive Member for Communities
Councillor Graham McAndrew	- Executive Member for Environmental Sustainability
Councillor Geoffrey Williamson	- Executive Member for Financial Sustainability

**CONTACT OFFICER: Katie Mogan**  
**Tel: 01279-502082**  
**Email: [Katie Mogan@eastherts.gov.uk](mailto:Katie.Mogan@eastherts.gov.uk)**

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A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:

- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- must leave the room while any discussion or voting takes place.

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## AGENDA

1. Apologies

To receive any apologies for absence.

2. Leader's Announcements

3. Minutes - 19 April 2022 (Pages 6 - 24)

To approve as a correct record the Minutes of the meeting held on 19 April 2022.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. Update from Overview and Scrutiny Committee

To receive a report of the Committee Chairman.

6. Update from Audit and Governance Committee

To receive a report of the Committee Chairman.

7. Annual Corporate Plan (Pages 25 - 61)

8. Climate Change Strategy (Pages 62 - 114)

9. Castle Park Improvement Project - match funding contribution via proposed sale of community centre/s (Pages 115 - 132)

10. East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022 (Pages 133 - 221)
11. Bishop's Stortford Neighbourhood Plans - Adoption (Pages 222 - 549)
12. Transforming East Herts Update and Commercial Strategy  
  
Report to follow.
13. Social Value Policy (Pages 550 - 574)
14. Regulation of Investigatory Powers Act (RIPA) Policy Annual Review (Pages 575 - 617)
15. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

# Agenda Item 3

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 19 APRIL 2022, AT 7.00 PM

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PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors P Boylan, E Buckmaster,  
G Cutting, J Goodeve, G McAndrew and  
G Williamson.

ALSO PRESENT:

Councillors M Brady, B Crystall, M Pope,  
C Redfern and P Ruffles.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic Services Manager
Kevin Steptoe	- East Herts Garden Town Lead Officer
Su Tarran	- Head of Revenues and Benefits Shared Service

408 APOLOGIES

An apology for absence was received from Councillor Kaye.

409 LEADER'S ANNOUNCEMENTS

The Leader of the Council welcomed Members and Officers to the meeting. She also welcomed Matthew Collings who was the Council's external legal advisor for the Gilston Area.

410 MINUTES - 8 FEBRUARY 2022

Councillor Haysey proposed, and Councillor Williamson seconded a motion that the Minutes of the meeting held on 8 February 2022 be approved as a correct record and be signed by the Leader. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the meeting held on 8 February 2022 be approved as a correct record and signed by the Leader.

411 DECLARATIONS OF INTEREST

There were no declarations of interest.

412 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

Councillor Haysey noted the comments and recommendations made by the Overview and Scrutiny Committee on Digital Exclusion. She said that the

council was aware that not everyone was able to access services on the internet and assured Members that those who were unable to access services online will still be catered for at the council.

413 UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

Councillor Pope, Chairman of the Audit and Governance Committee, updated the Executive on the external audit position. He hoped that Council would be able to sign off the accounts in May.

414 DISCRETIONARY ENERGY REBATE SCHEME

The Executive Member for Financial Sustainability presented the Discretionary Energy Rebate Scheme. He said that the government scheme to award a £150 fuel rebate to households had been well publicised and the government were providing local authorities with additional funding to introduce discretionary schemes to reach those vulnerable households that did not benefit from the standard scheme.

Councillor Williamson said that East Herts had been provided with approximately £250,000 and the proposed scheme is outlined in paragraph 2.4 of the report. He said that the funding had to be spent by November 2022 and any leftover was to be returned to the government and so after the first application window has closed, the criteria will be reassessed and varied accordingly to use the full funding.

Councillor Redfern asked whether Members would be informed of how many households had been helped

and how much of the funding spent. She asked how the grant would be allocated and if individuals would have to apply.

The Head of the Revenues and Benefits Shared Service said the number of households in receipt of the scheme would be added to the Members Information Bulletin weekly. She confirmed that individuals were required to apply in order to carry out pre and post payment verification. She said that the council can prompt a claim for those households who were in receipt of Council Tax Support and Housing Benefit.

Councillor Pope asked how the administration of the scheme would impact on the department's workload.

The Head of the Revenues and Benefits Shared Service said the discretionary scheme was not too onerous but the main scheme would have a significant impact as there were over 30,000 houses in East Herts in Bands A-D.

Councillor Williamson proposed, and Councillor Cutting seconded a motion supporting the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – That (A) the Discretionary Energy Rebate Scheme as detailed at paragraph 2.4 in the report be approved; and

(B) the Head of Revenues and Benefits Shared Service in conjunction with the Deputy Leader

and Executive Member for Financial Sustainability, amend the scheme criteria for any subsequent rounds of applications if allocated funding is not distributed in full in the first round (see paragraph 2.4(h))

415 WASTE SHARED SERVICE GOVERNANCE REPORT

The Executive Member for Environmental Sustainability presented the Waste Shared Service Governance Report which set the scene for the future of waste and street cleansing in partnership with North Herts District Council. He said there was a recommended to support a cross party joint working group with North Herts to look at the strategic direction and design of the contract which will come into effect from 2025.

Councillor McAndrew said that an aligned service made it more attractive to the market when out for tender and in the coming years, there will be significant legislative changes affecting waste management and it was prudent that the contract and the service was fit for purpose and sustainable for the future.

Councillor Redfern asked if the Executive Member knew what the cross party working group would look like or if it was too early to say.

Councillor McAndrew confirmed it was too early to say.

Councillor Redfern asked if Members would have an opportunity to scrutinise the group's

recommendations.

Councillor McAndrew said the recommendation would go through the committee cycle.

Councillor McAndrew proposed, and Councillor Buckmaster seconded a motion supporting the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – That (A) the comments from Overview and Scrutiny Committee, as shown in Appendix B, be considered and the recommended actions endorsed;

(B) the new overarching aim of the shared services and principles outlined in 3.10 and 3.12 be agreed;

(C) The formation of a joint cross party working group be endorsed. The terms of reference for which are outlined in Appendix A and the outline work programme described in 3.19;

(D) the future options be explored and agreed for governance of the Shared Waste Service, including consideration of a joint committee consisting of representation by both East Herts Council and North Herts Council.

#### 416 GILSTON AREA COMPULSORY PURCHASE ORDER

The Leader of the Council presented the Gilston Area

Compulsory Purchase Order Report. The report follows the consideration of the matter by Executive and Council in October 2020, when it was decided, in principle, to proceed with a Compulsory Purchase Order (CPO) in the Gilston Area if it was necessary to enable essential infrastructure to be delivered to support development in the Gilston Area and wider Garden Town.

That essential infrastructure comprises the enhancement of the existing A414 River Stort crossing between the Gilston Area and Harlow, and the construction of a new eastern River Stort crossing, together identified as 'the Crossings'. As indicated, the Crossings are required to enable the delivery of housing in the Gilston Area and across the wider Harlow and Gilston Garden Town.

At the meeting of the Development Management Committee of 22 February 2022, the Committee considered planning applications for the Crossings and, after very careful and lengthy consideration, determined that planning permissions be granted. As the Crossings span the boundary between East Herts and Harlow, Harlow District Council has also considered and determined planning applications permitting the development to proceed.

The applicant for the Crossings is Places for People (PfP), the owner of the majority of the Gilston Area allocation in the District Plan and sufficient to enable 8,500 of the planned 10,000 new homes to be delivered. PfP has also sought to acquire by agreement all the land necessary to enable the

Crossings to be built. However, despite ongoing negotiations with current landowners, it has not been possible for it to do so and, as a result, it is now necessary for the Council to determine whether or not to proceed with a CPO.

The delivery of the Crossings is essential to enable the delivery of development in the Gilston Area and the wider Garden Town. Without their construction the Council and the wider Garden Town partners will not be able to achieve the aspirations set out in the Garden Town Vision and elsewhere. Primary amongst these is the desire to achieve development that moves away from reliance for transport on the private vehicle and instead enables the majority of journeys to be undertaken by healthy and active transport modes – walking, cycling and public transport.

For those reasons alone, and given the ongoing inability of the applicant to secure all the land necessary to deliver the Crossings, it is now necessary to proceed with CPO action.

Executive Members will have had regard to the full details of the case, which supports the need to move ahead with a CPO, and which is set out in the report and the appendices.

Given the cross boundary nature of the Crossings, the need for CPO action has already been considered by Cabinet at Harlow DC at its meeting of 24 March 2022. It has already resolved to proceed with a CPO. The report seeks to delegate to Officers the authority to execute all the detailed matters and actions necessary to proceed with a CPO. In that respect, Officers of both

Councils will also continue to engage and liaise to ensure that all actions are undertaken in a fully co-ordinated way.

The Leader of the Council said that her recommendation was that the council now proceed with a CPO in the Gilston area as necessary and that officers be delegated, as set out in the detailed recommendations, to take all the necessary steps to make, serve and subsequently advocate a CPO through all relevant and appropriate processes.

Executive members were referred to paragraphs 3.27a, b and c which detailed matters relating to the impact of any CPO on land identified as Open Space. Since the publication of the report, matters have moved on further with regard to this and the Leader invited officers to provide an update which included the requirement to consider revisions to recommendations (a) and (e).

The Garden Town Lead Officer provided an update on the Open Space issues. He said that it was necessary to provide exchange land as a replacement to offset the loss due to an area of Open Space being acquired through the CPO. PfP had identified a number of possible exchange sites which had been subject to both a high level and, for those remaining in consideration, a more detailed assessment. When the report for this meeting was published, Officers considered that insufficient information had been provided and so it was not possible to be able to conclude that the results of the high level assessment process were acceptable. Work had continued since

the report had been published and, with the further information provided, it was now possible to reach agreement that the exchange land options remaining under consideration after the high level assessment exercise were the most appropriate sites. Those sites, identified as Options 1, 2 and 3 were set out for Members of the Open Space and Exchange Land Options Plan which had been circulated to Members before the meeting and hard copies provided at the commencement of the meeting.

The Garden Town Lead Officer said that the recommendations in the report would need to be updated as follows:

Amendment to recommendation (a) with the addition of a new section (iii):

- (a)(iii) if the exchange land site identified as option 3 on the Open Space and Exchange Land Options plan is selected as the preferred exchange land site, to acquire all of that land hatched blue on the additional plan for the purpose of it being given in exchange for the area of Open Space that is being acquired

Amendment to recommendation (e)(iii):

- (e)(iii) the acquisition of the selected exchange land site (from the options identified on the Open Space and Exchange Land Options plan) and subsequent disposal or vesting of any rights in it, (remainder as per rec in report)

He explained that the first of these amendments, the addition to recommendation (a) was required as, if

Option 3 was selected as the preferred exchange land site, part of that site was currently outside of the land owned by PfP. The amendment to recommendation to (e)(iii) was necessary as it had now been agreed that the exchange land options identified were the most appropriate options.

Councillor Haysey asked if the recommendations were different to the ones passed at Harlow Council.

The Garden Town Lead Officer said that the open space issue was only relevant in East Herts and there was no land in Harlow identified as open space under the CPO. The open space recommendations therefore were relevant to East Herts only. The other recommendations were consistent with those considered and agreed by Harlow District Council's Cabinet.

Councillor Haysey sought confirmation that the amended recommendations could be approved together.

The Monitoring Officer confirmed the Executive could take the recommendations en block.

Councillor Buckmaster said that he had four clarification questions. His first question was why the planning authority was taking this action not the highway authority.

The Garden Town Lead Officer explained that it related to the need to ensure that the most appropriate power was used. In this case, although the infrastructure

being delivered comprised transport infrastructure, and therefore it may seem appropriate that Highways Act powers were used, the requirement of the delivery is to enable the development of the Gilston area allocation in the East Herts District Plan and development across the wider Garden Town. These are objectives for the Council through its planning policies and therefore it was appropriate to utilise powers under the Town and Country Planning Act. He reassured Members that the council had taken considerable legal advice in this respect.

Mr Collings, the external legal advisor, said that the Secretary of State guidance was that authorities must use the most appropriate power when making a CPO. The planning powers were the most appropriate in this case and had been endorsed by counsel and the developers own legal advisors.

Councillor Buckmaster referred to the report which says at the end of the process; East Herts will be the default owner of the CPO land. He said there was a mutual deliverability element and the highways infrastructure would be done under Section 278 which is usual process and the delivery of the housing depends on the deliverability of the new infrastructure under Section 278 of the Highways Act. He asked if that was correct.

The Garden Town Lead Officer said that if the CPO is exercised and the process was followed through to a successful completion then East Herts does become an owner of the land in the Gilston Area. The council will then have a role to play as the land owner as well as

the local planning authority. He said that as the land owner, the council will work with the highways authority to ensure delivery takes place to the right specification and quality, which is the purpose of Agreements under s278 of the Highways Act. The council was indemnified against risks that may arise through the construction process by a s278 agreement. Such risks could include the development not commencing or not being completed to the right quality. There were a mutual set of objectives for the Council as landowner, as local planning authority and for the Highway Authority and the parties could take coordinated action to ensure that any risks are minimised.

Councillor Buckmaster referred to Terlings Park and asked if the land could be given back to the community if it was not used.

The Garden Town Lead Officer said that the area impacted to the frontage of Terlings Park with Eastwick Road was an area of grass and footpaths with open access for residents. However the route of the new highway between Terlings Park and Pye Corner meant that some land would be acquired permanently. However, land acquired for construction purposes and not required for the ongoing operation and maintenance of the new roadway could be returned to previous land owner free of charge. If the previous landowner declined, the Council would look at other options for the future control of the land including the potential for it to be included in any emerging stewardship arrangements for the Gilston Area.

Councillor Buckmaster said this would be an opportunity for a public engagement exercise to understand what the local community would like to use the land for.

Councillor Haysey said that community input would be important.

Councillor McAndrew said he was excited about the report and the proposed cycling and walking routes to encourage sustainable transport. He said that East Herts had demonstrated they had gone the extra mile for sustainable and active travel.

Councillor Haysey proposed, and Councillor Goodeve seconded a motion supporting the amended recommendations. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – That (A) East Herts District Council approves the making and sealing of a compulsory purchase order under the powers conferred by sections 226(1)(a), 226(3)(a) and 226(3)(b) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to:

- (i) acquire all that land shaded pink and edged red on the four plans attached at Appendix 1, including the area of Open Space which is shown more particularly (shaded green) on the plan at Appendix 2;
- (ii) acquire all those rights (or interfere with

existing rights) over the land shaded blue and edged on the four plans attached at Appendix 1,

- (iii) if the exchange land site identified as option 3 on the Open Space and Exchange Land Options plan is selected as the preferred exchange land site, to acquire all of that land hatched blue on the additional plan for the purpose of it being given in exchange for the area of Open Space that is being acquired

the interests in which are described in the schedule of interests, attached at Appendix 3 (collectively known as the Order Land).

- (b) The Head of Planning and Building Control in consultation with the Head of Legal and Democratic Services be authorised to take all steps, and to enter into all documentation, on behalf of East Herts District Council in connection with the making, confirmation, submission or implementation of the compulsory purchase order, including in respect of any public inquiry, appeal or legal challenge concerning the same
- (c) The Head of Planning and Building Control in consultation with the Head of Legal and Democratic Services be authorised to make amendments to the compulsory purchase order or other connected document (e.g. to

make amendments to the Order Maps and to the boundary of the Order area to align with the Works and the land and rights requirement once the boundary is finalised), provided that the proposed amendments do not significantly alter the scope of the compulsory purchase order as presented to Executive by this report.

- (d) The Head of Planning and Building Control in consultation with the Head of Legal and Democratic Services be authorised to take all steps to:
  - (i) negotiate agreements with any landowners, leaseholders or occupiers of land included within the compulsory purchase order; and / or
  - (ii) negotiate agreements with any party with an interest in or right over any land included within or affected by the compulsory purchase order,

such agreements to include the acquisition of land or interests in land, payment of compensation or any other arrangements needed to facilitate the delivery of the SIW (such as crane over sailing licences) and to assemble the land and interests identified in the compulsory purchase order

- (e) The Head of Planning and Building Control in consultation with the Head of Legal and

Democratic Services be authorised to take all steps in respect of any open space land affected by the compulsory purchase order, such authorisation to extend to:

- (i) making an application to the Secretary of State seeking a certificate under section 19(1) and/or paragraph 6 of Schedule 3 of the Acquisition of Lands Act 1980 in connection with a site or sites to be identified, as being a suitable replacement/exchange site for the open space land that is to be acquired or affected by the compulsory purchase order;
- (ii) exercising its powers under section 203 of the Housing and Planning Act 2016 to override any easements and rights over the open space land identified at Appendix 2;
- (iii) the acquisition of the selected exchange land site (from the options identified on the Open Space and Exchange Land Options plan) and subsequent disposal or vesting of any rights in it, the acquisition of the selected exchange land site/s and subsequent disposal or vesting of any rights in it, following the implementation of any necessary works and improvements to the same, so to ensure that the selected exchange land site is equally advantageous to the persons and public that use the existing area of open space land.

417 FINANCIAL MANAGEMENT QUARTER 3 FORECAST TO YEAR END

The Executive Member for Financial Sustainability presented the Financial Management Quarter 3 Forecast to Year End Report. The report stated the council’s financial position in relation to the 2021/22 budget at the end of December. He said that the predicted outturn was currently a £95,000 overspend but it was not unusual to show an overspend at this stage of the cycle.

Councillor Williamson proposed, and Councillor Boylan seconded a motion supporting the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – That (A) the net revenue budget forecast overspend of £95k in 2021/22 be noted (table 1); and  
(B) the revised capital budget of £56.676m for 2021/22, has a forecast underspend of £27.669m, of which £27.603m will be carried forward to 2022/23 (appendix A) be noted.

418 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.45 pm

Chairman .....

Date .....
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## **East Herts Council Report**

### **Executive**

**Date of meeting:** 12 July 2022

**Report by:** Councillor Geoffrey Williamson, Deputy Leader and Executive Member for Financial Sustainability

**Report title:** Annual Report 2021/22

**Ward(s) affected:** All

**Summary** – this report updates Members on progress against the Corporate Plan priorities over the 2021/22 year

### **RECOMMENDATIONS FOR EXECUTIVE:**

- a) That Committee Members note the contents of the report and agree it is recommended to Council

### **1.0 Proposal(s)**

- 1.1 Executive Members are encouraged to review key achievements and actions over the past 12 months

### **2.0 Background**

- 2.1 Each financial year, East Herts Council agrees a set of actions for completion that year and in some cases, into future financial years. These actions fall within the overall

4 SEED priorities set out in the Council's Corporate Plan, first agreed in January 2020 with a refreshed version agreed on March 1<sup>st</sup> of this year. For many of these actions, the relative success and progress of the action is monitored closely by performance indicators.

- 2.2 These actions and indicators are monitored throughout the year by Heads of Service and Leadership Team through quarterly discussions and a six month/ second quarter update report that goes to Overview and Scrutiny Committee. At the end of each financial year, this summary report is produced to collate progress on corporate actions and to highlight performance against set targets.
- 2.3 This report summarises the position of all the corporate actions (see Appendix A) set out at the start of 2021/22 and the key performance indicators (see Appendix B) that help measure the success of these actions. With regards to the "sustainability at the heart of everything we do" theme within the Corporate Plan, these actions are monitored on a monthly basis and published on our website. Details can be found here: [Environmental Sustainability Action Plan | East Herts District Council](#)
- 2.4 All of these actions and KPIs are managed through our dedicated performance management system Pentana. Members have the opportunity to view results and progress in real time with login details which can be found on the East Herts Intranet.

2.5 A video, highlighting achievements over the year has also been prepared and following consideration at Overview and Scrutiny Committee on 21 June it is now available on our website: [Annual Reports | East Herts District Council](#)

2.6 Overview and Scrutiny Committee also asked for a number of clarifications and additional information. This included more details on licencing of houses of multiple occupation, planning enforcement activity and the Launchpad. Details within the appendices have been updated with this in mind.

### **3.0 Reason(s)**

3.1 Executive will want to be assured that Corporate Plan priorities are being delivered.

### **4.0 Options**

4.1 N/A

### **5.0 Risks**

5.1 N/A

### **6.0 Implications/Consultations**

6.1 N/A

## **Community Safety**

Yes – community safety actions covered in the report

## **Data Protection**

No

## **Equalities**

Yes – equalities actions covered in the report

## **Environmental Sustainability**

Yes – sustainability actions covered in the report

## **Financial**

No

## **Health and Safety**

No

## **Human Resources**

Yes – performance data related to HR covered in the report

## **Human Rights**

No

## **Legal**

No

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

7.1 Appendix A – corporate actions

7.2 Appendix B – corporate indicators

## **Contact Member**

Councillor Geoffrey Williamson, Executive  
Member for Financial Sustainability and Deputy  
Leader

[geoffrey.williamson@eastherts.gov.uk](mailto:geoffrey.williamson@eastherts.gov.uk)

**Contact Officer**

Benjamin Wood, Head of Communications,  
Strategy and Policy

[benjamin.wodd@eastherts.gov.uk](mailto:benjamin.wodd@eastherts.gov.uk)

07519 293722

**Report Author**

Noel Wallis, Business Analyst

[Noel.wallis@eastherts.gov.uk](mailto:Noel.wallis@eastherts.gov.uk)

01992 505036

## Enabling Communities Theme

Parent Title	Action Title	Latest Note	Status	Linked Pls Code
Keeping Communities Safe	Provision of Covid marshals in town centres, neighbourhood shopping centres and green spaces	Marshals changed from providing 140 hours per week of support to 24 hours per week from 19th July, focusing on supporting the police and Environmental Health throughout late summer and Autumn. Thereafter they moved to supporting schools with any security issues regarding anti-vaccine protests and supporting test and trace activities (including checking on clinically vulnerable people in the district). Funding expired in March and there is no further need for marshal support	Completed	
Keeping Communities Safe	Support national and county led campaigns on vaccine roll out and vaccine hesitancy	We've continued to promote how people can get vaccinated in East Herts and shared county council materials around living with Covid.	Completed	
Keeping Communities Safe	Support roll out of testing and vaccination centres	After setting up Hertford Theatre as a vaccination centre to assist the responsibility then transferred to local pharmacies / surgeries and mobile NHS units to support the roll out and booster jabs.	Completed	
Keeping Communities Safe	Provide regulatory advice and support to businesses for safe re-opening with Covid recovery	2021/2022 - Target Exceeded. 99% of Environmental Health requests for service were responded to within target times. This equates to 17 requests for service missing their first responses since April 2021. 2,589 requests for service have been received since April 2021.	On-going action	
We will ensure all voices in the community are heard	Agree and implement a new Equalities, Diversity and Inclusion Strategy	Strategy was adopted by full council in July 2023. Deliverables over the year have included refreshed training for staff on Equality Impact Assessments, promotional video of the Thomas Clarke memorial near high cross for the international day of remembrance for the abolition of slavery and the black history month quiz for Members	Completed	
We will ensure all voices in the community are heard	Evaluate the impact of any comms and campaigns	We've recently undertaken campaigns for sustainability, the Great British Spring Clean (ongoing), the East Herts Lottery and Business grants. All have been evaluated as per the comms strategy and learning fed into future campaigns in terms of how best to target audiences	On-going action	
We will ensure all voices in the community are heard	Grow our digital communication channels	Followings have grown across all platforms and Q4 was our best quarter to date in terms of follower increases and engagement on posts.	On-going action	QC CSP 5.12A, QC CSP 5.12B, QC CSP 5.12C, QC CSP 5.12D, QC CSP 5.12E & QC CSP 5.12F
We will ensure all voices in the community are heard	Trial new communication and engagement tools with different audiences	We have developed new digital programmatic ads to promote the Healthy Hub and drive referrals.	On-going action	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will ensure all voices in the community are heard	Support our local communities with the neighbourhood planning process	Support to neighbourhood planning continues to be provided	On-going action	
We will invest in our places	Maintain the register of community assets	Register is up to date and parish councils are being notified where ACVs are approaching their 5 year expiry date, as recommended by Audit and Governance Committee. Over the year we had 15 requests for new ACV registrations	Completed	
We will invest in our places	Deliver the community grants scheme	The 2nd funding round was oversubscribed. 24 applications were received with requests totalling approximately £106,000 from a budget of £62579. 12 of the 16 revenue applications were from organisations who haven't previously applied	Completed	AC HH 305
We will invest in our places	Produce a business case for the refurbishment and extension of Pinehurst Community Centre	Budget of £200k approved by Full Council. Corporate Property Services, not undertaking £200k refurbishment in a piecemeal way to avoid disruption to the Community Centre Users. Work started during the Easter Term time break, more works scheduled at the May half term and again in July.	Completed	
We will invest in our places	Set up a Charitable Incorporated Organisation with residents to repurpose a council allotment site into a community garden	The Thieves Community Garden Group became a registered charity in January 2022. The site was cleared by the Council's Operations Team and the trustees successfully applied for a grant from Hertford town Council. They commissioned Wyldedges to deliver a visioning workshop last month and will soon have a detailed design based on consultation with residents. Two trustees have been identified as project managers. The group is also registered with the East Herts Lottery.	Completed	
We will invest in our places	Undertake a review of the EHC owned Community Centres in East Herts	The Sele Community Hub was also awarded Covid Recovery Funding to purchase equipment including a notice board.  A survey of council owned community centres has been conducted and information will be forwarded to the Assets Team	Completed	
We will invest in our places	Maintain standards of cleanliness in our streets	Continues to be monitored through our contractors. A report was shared with Overview and Scrutiny Committee on 23 March 2022 outlining current performance.	Completed	MC OPS 300
We will invest in our places	Respond to fly-tipping in a timely manner	Performance is good . KPI's on target 100% collected on time	Completed	QC OP 2.4

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will invest in our places	Deliver the cultural strategy	A community engagement workshop was held in October 2021 to work with community groups to establish how we can work together to deliver outcomes of the cultural strategy. Following on from this an action plan for 2022/23 has been drawn up. This will be overseen by the Cultural Strategy Strategic Group with delivery being channelled through the Cultural Strategy Delivery group	On-going action	
We will invest in our places	Complete construction of a refurbished and extended Hartham Leisure Centre	Phase 1: Changing Village - Complete. Pool Hall - all pool works are completed and the failed pool tank liner has been rectified with the new liner install being a success. The pool re-opened to the public on 13 May. Work in 22/23 will focus on phases 3 and 4 of the project (new extension with cycling studio and additional changing facilities)	In Progress	
We will invest in our places	Complete construction of new Grange Paddocks Leisure Centre	The new leisure centre opened up on time and in budget in October 2021. Archaeological digs for the 3G pitch confirmed a Roman burial site with 49 skeletal remains found along with a shrine and the original Stane Street Roman road. A public open day was held on 23/4/22 which attracted 700 people to tour the dig with a further 300 visiting the meet & greet table with a selection of finds. Work on the 3G pitch will continue in 22/23. Expected completion is 2/9/22	In Progress	
We will invest in our places	Deliver £20m investment in Hertford Theatre	A revised budget was approved by Council on 2 March and the contractor (GPF Lewis) was appointed on 15 March, taking possession of the site in April. Hoardings have since been placed up and initial works commenced. Completion is anticipated November 2023	In Progress	
We will invest in our places	Deliver the Castle Park Heritage Lottery Funded project	Project went out for tender but final submissions came in over budget due in part to covid and supply chain issues. This has now been put out for re-tender using an open process with a hope of outlining a wider range of potential bids. We have submitted an application for extra funds from the National Lottery and exploring options for other ways to deliver the project. A paper is due to Executive in July	In Progress	
We will support our vulnerable residents	Relaunch the East Herts Healthy Hub to promote easier access to health and wellbeing advice and support	This action will be managed going forward by a new 2022/23 corporate action titled 'Further establish the East Herts Healthy Hub to promote access to health, social, wellbeing advice and support' and will be monitored using the same set of indicators	Cancelled	QC HH 238A, QC 238B, QC HH 238C, QC 238D & QC HH 238D

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will support our vulnerable residents	Manage the SLA with the Citizens Advice Service	Outcomes identified in 2021/22 SLA achieved, final quarterly report received. Reviewing the current approach to Citizens Advice SLA for 2022/23 in line with recommendations coming out of Service Reviews	Completed	
We will support our vulnerable residents	Provide support to hoarding cases	2021/2022 - Target Exceeded. 100% of hoarding and/or filthy and verminous related requests for service were responded to within target times. This equates to 0 requests for service missing their first responses since April 2021. 14 requests for service have been received since April 2021; this compares with 18 requests for service received on average, over the last three years, for the same period.	Completed	
We will support our vulnerable residents	Provide temporary accommodation to those in need	At the end of March 2022 the council was providing 37 households with temporary accommodation under statutory homeless duties	Completed	QC HH 151
We will support our vulnerable residents	Review CCTV provision and management arrangements	Discussions with town councils have been concluded with regards to the future provision and management arrangements of CCTV in the district. Town Councils have gone out to tender to review potential alternative CCTV providers. CCTV Partnership have been made aware of the decision to take this approach.	Completed	
We will support our vulnerable residents	Support community safety	New priorities for 2022-23 have been drafted subject to confirmation by CSPB. Feelings of safety campaign launched in Feb giving greater insight in to ASB in East Herts.	Completed	QC HH 239A & QC HH 239B
We will support our vulnerable residents	Support the East Herts Dementia Friendly Action Group	CWP continue to lead the Dementia Friendly Action Group. Actions identified in the 2021/22 action plan have been completed and the application for dementia friendly status for EHC has been successful.	Completed	QC HH 240A & QC HH 240B
We will support our vulnerable residents	Undertake public burials	2021/2022 - Target Exceeded. 100% of public health burial requests were responded to within target times. This equates to 0 request(s) missing their first responses since April 2021. 20 requests for service have been received since April 2021; this compares with 5 request(s) for service received on average, over the last three years, for the same period.	Completed	QC HH 208
We will support our vulnerable residents	Continue to administer self-isolation grants	These have all been administered and the scheme has since ceased	Completed	
We will support our vulnerable residents	Ensure all new applications for Housing Benefit and/or Council Tax support are processed on average within 10 days	Further details on performance can be found in Appendix B	Completed	MC RB 181

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will support our vulnerable residents	Deal with nuisance and noise cases	2021-2022 - Below Target. 95% of noise and pollution related requests for service were responded to within target times. This equates to 53 requests for service missing their first responses since April 2021. 1002 requests for service have been received since April 2021; this compares with 1061 requests for service received on average, over the last three years, for the same period.	On-going action	
We will support our vulnerable residents	Identify community assets that are managed via a third party and investigate SLAs and appropriate policies are in place (eg. safeguarding)	To date, 9 community assets have been identified and we are currently examining what, if any, SLAs are in place	In Progress	
We will support our vulnerable residents	Inspection, licensing and regulation of HMOs	<p>In 21/22, only eight of 24 HMO licence were determined within the target of six months from receipt of a valid application. This has been primarily due to two factors;</p> <p>(a) Environmental Health Officers prioritising Covid-related duties and</p> <p>(b) officers working with landlords to resolve any problems found during inspection with a view to making a positive determination.</p> <p>This latter reason has led, in four cases, to the service breaching the target time while landlords carry out works rather than issuing a negative determination to a landlord who is actually working closely with the council.</p> <p>Now Covid-related pressures have dropped, performance is improving again, with 75% of applications this year currently projected to have been determined within the six month point.</p> <p>There continues, however, to be cases of prolonged determinations due to landlords' efforts to remedy problems. So, officers are looking at a mechanism to temporarily 'stop the clock' on the determination pathway for cases where a landlord is genuinely working with the council. Of course, officers will continue to manage cases closely so that 'stopping the clock' isn't simply used by landlords as a way of delaying necessary works.</p>	On-going action	Q HH 2.16b

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will support our vulnerable residents	Provide training and support for third parties who manage community centres to engage effectively with wider community, including vulnerable residents.	Officers plan to ask third parties what type of training they would like and then refer them to existing training being offered via CDA and CVS. Representatives from all centres are invited to attend East Herts Village Halls and Community Centres Consortium peer support meetings.	In Progress	
We will support our vulnerable residents	Support delivery of chatter tables	Buntingford Chatter table back up and running. Table while Theatre is closed. Ware has been replaced by three 'Local Social' sessions per week. Work on going to establish a new venue for Hertford after theatre closed. Sawbridgeworth and Bishop's Stortford currently on hold	In Progress	

### Encouraging Economic Growth Theme

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
Deliver the Transforming East Herts Programme	Grow revenues from trading companies	Herts Building Control continues to be viable. The CCTV company has made a slight profit in 21/22 however performance continues to be kept under review by Directors and Sharehold Representatives	In Progress	
We will create viable places	Adopt a policy on viability and intervention on commercial schemes on new developments including BS South, BS North, Caxton Hill, NE of Ware	Action on hold pending changes to national planning legislation and consultation in 20/21 (particularly with regards to PDR). This will be reviewed in 2022/23 following release of the Levelling Up and Regeneration White Paper	Cancelled	
We will create viable places	Implement Article 4 Directions on designated employment sites	Conformation of Direction signed off 1/4/21 retrospectively to a start date of 2/1/21. This action was therefore completed in early 21/22 however the status of Article 4 directions will be reviewed following release of the Levelling Up and Regeneration White Paper.	Completed	
We will create viable places	Support Cityheart with progressing a planning application for the Old River Lane Site (including preparing the masterplan and an SPD) and cinema led arts centre	SPD Steering Group meetings took place over Autumn and Spring of 21/22. The SPD is due to go to Executive in July 2022	Completed	
We will create viable places	Ensure housing development meets the needs of the district population	This work is ongoing in line with the policies and proposals set out in the District Plan and is managed as part of normal duties	Completed	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will develop new sources of income	Develop a new Asset Management Strategy	This action is in progress however will be captured within the East Herts Transformation work moving forwards	Cancelled	
We will develop new sources of income	Grow the East Herts Lottery	The 12 month forecast, as of 31.03.21 was £46,831, showing continued growth of the East Herts lottery every quarter.	Completed	AC HH 303, AC HH 304 & AC HH 305
We will develop new sources of income	Supporting the crowdfunding platform for community causes	Five campaigns have signed up through the platform with 2 successfully receiving a pledge of £2,000 so far.	Completed	
We will develop new sources of income	Develop financial Sustainability Group acquisitions/ investments	Financial Sustainability Committee, ceased as a committee in February 2021 following the changes to the Public Works Loan Boards change in policy on loans for revenue based projects. This prevented the Council buying investment properties.	Completed	
We will develop new sources of income	Deliver the Millstream Property Investment Ltd's Business plan	The Rectory Hall acquisition is not now proceeding as a Millstream scheme; the council has decided to purchase the property directly. There will be no substitute for this scheme within the business plan as the council has vired the monies to fund its own acquisition. The business plan included plans to acquire 10 individual properties. In response to Covid 19, the directors have decided to proceed with purchasing five properties, while keeping market conditions under review. To date, two of the five have been acquired, with an offer accepted on a third. The business plan also included the Watton-at-Stone development scheme. Initial works are timetabled to commences in quarter 3. This is on track	Completed	AC HH 200
We will ensure development is viable	Ensure Section 106 contributions are allocated in accordance with agreements	The provisional Section 106 allocation figure for 2021/22 is £3,125,381.58  The final total Section 106 allocation is currently being finalised with the Finance Team to include contributions transferred to Capital and utilised for East Herts projects and internal uses over 2021/22.  The Infrastructure Funding Statement for 2021/22 will be published in December 2022 and will provide full details of each individual allocation and contribution use.	Completed	AC CSP 217a & AC CSP 217b
We will ensure development is viable	Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire	Levelling Up White Paper released in February 2022. A Herts County Deal will be pursued through the Herts Growth Board governance arrangements as part of the devolution framework	on-going action	
We will ensure development is viable	Complete construction of the multi-story car park on the Old River Lane site (72 week build)	The car park opened to the public on 13 May. The commercial and residential block is scheduled for practical completion in mid July	Completed	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will ensure development is viable	Agree masterplans on: the Gilston Area Villages 1-7; NE of Ware; East of Welwyn Garden City; significant windfall development sites through collaborative process with developers and Members	Work on the Strategic Landscape Masterplan for the Gilston Area and the Masterplan for Village 1 is underway in line with agreed planning and HIG milestones.	In Progress	
We will ensure development is viable	Deliver a fit for purpose planning service including provision of pre-application advice, determination of planning applications and approval of the strategic sites allocated in the District Plan in accordance with the housing trajectory	The Planning Service Review underway in line with the Council's Transformation Programme. An operational improvement programme has been agreed. There has been an increase in planning applications over the last year. This increase is not unique to East Herts and is nationwide, as a result of Covid-19 as people look to make improvements to their living environments. This increase in planning applications has coincided with a period of high staff turnover. There are also delays with input and advice from statutory consultees who are also experiencing similar issues with workload and resourcing pressures. Officers are continuing to work hard in determining planning applications as quickly as possible and are doing everything they can to minimise delays.	on-going action	MC PB 157A, MC PB 157B & MC PB 157C
We will ensure development is viable	Undertake planning enforcement activity where required in keeping with the district plan and NPPF	work continues, Council investigated over 300 enforcement cases in the year. A updated Planning Enforcement Plan was agreed in March 2021. This introduced a triage approach in order to assist with dealing with reports on potential planning breaches more swiftly when they are first made. This means that less time is being spent on cases where there is no planning breach allowing officers to focus on cases where there has been a planning breach	on-going action	
We will support businesses and town centres with post Covid recovery	Find alternative accommodation for the BS Launchpad	Action on hold pending clarity on date needed to vacate Charrington's House	Cancelled	
We will support businesses and town centres with post Covid recovery	Undertake a pilot project with stakeholders on Hertford Town Centre to get a vision and strategy in place	Work led by People and Places has been concluded and results shared with Hertford Town Council and East Herts District Council	In Progress	
We will support businesses and town centres with post Covid recovery	Continue to administer business grants including the Restart Grants and Additional Restriction (discretionary) grants	Work continued on this throughout 21/22. A total of 5216 businesses were awarded grants totalling over £45m	Completed	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will support businesses and town centres with post Covid recovery	Deliver the Jobsmart employment support programme	374 referrals to Jobsmart over the year, of which 160 are confirmed as being supported back into work. Face to face services in BS have proved to be very popular, and a jobs fair which took place in March, alongside the Chamber and BS BID was very successful, generating more referrals. East Herts support for this programme has now ceased	Completed	
We will support businesses and town centres with post Covid recovery	Implement grant scheme to support businesses taking up vacant retail, commercial and industrial premises	This was launched in the Autumn of 2021 and 51 businesses were awarded grant support to expand or open up new businesses in the district (total investment of almost £200k). This indicates a strong bounce back from Covid and we undertook a great deal of PR to raise awareness of support which was well received on social media. Our success in administering the scheme also led to North Herts Council inviting us to administer a similar scheme on their behalf	Completed	
We will support businesses and town centres with post Covid recovery	Provide a programme of business networking and support activities	Business support and networking had been significantly expanded due to funding from the Health Protection Board. East Herts has overseen a programme of over 30 events county-wide that have included a Sustainability conference, Diversity workshops, Mental wellbeing events, Jay Blades (from BBC Repair Shop) leadership event, Menopause awareness workshops and many other business support events, 1-2-1's and workshops.	Completed	
We will support businesses and town centres with post Covid recovery	Provision of advice and support around licensing function (alcohol, food, noise) and processing pavement licences to support town centres	Support continues with updates as and when necessary due to new guidance, etc.	Completed	
We will support businesses and town centres with post Covid recovery	Work in partnership to support recovery of town centres and deploy 'Welcome Back' funding	Final Claim submitted at end of April 2022.. £287,990 claimed of an eventual £301,590 allocation. All towns now have activity monitoring systems, Hertford and Ware have draft development plans and governance structures in the making and all towns and 7 villages have taken advantage of the funding to fund improvements in the fabric of the communities and equip themselves for events in the future.	Completed	
We will support businesses and town centres with post Covid recovery	Work in partnership with the LSCC (Innovation Corridor) and Central Zone Alliance to lobby for inward investment	Innovation core brochure has been produced	Completed	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will support businesses and town centres with post Covid recovery	Work with Visit Herts to ensure local businesses and venues are supported	VH have continued their information and funding admin support for the hospitality industry. They have restarted face to face events and have undertaken various promotional campaigns following on from the easing of restrictions	Completed	AC CSP 14.3, AC CSP 14.4 & AC CSP 14.5
We will support businesses and town centres with post Covid recovery	Support the Better Business for All Partnership	We continue to be represented on the Steering Group.	Completed	
We will support businesses and town centres with post Covid recovery	Ensure all business rate reliefs are applied in a timely manner	Completed. £9.3m was awarded in business rate reliefs over 21/22 to 782 businesses	Completed	MC RB 10.4
We will support businesses and town centres with post Covid recovery	Deliver the 3 year ERDF Funded SME Competitiveness project focusing on expanding the Stortford and Ware Launchpads and supporting the bio-science, social enterprise and Airport MRO sectors	Launchpad 2 has expanded into the following sectors - Aerospace - Maintenance, Repairs & Operational support for Stansted Airport (MRO's) - Creative and Digital (Including TV and film) - Bioscience - Life Sciences - Manufacturing - Bio-tech (cell and gene therapies) - Modern methods of construction This has led to a significant uplift in engagement for the programme. There have been 25 business supported.	In Progress	AC CSP 210, AC CSP 211, AC CSP 212, AC CSP 13.1 & AC CSP 13.3
We will support town centres with post covid recovery	Provide support for local business representative organisations including Chambers of Commerce and the Bishop's Stortford BID	This support is ongoing	on-going action	

## Digital by Design Theme

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
Deliver the Transforming East Herts Programme	Implement a front of house offering at Hertford and Bishop's Stortford aimed at maximising self-service	Proposal is still to co-locate with BS Town Council however timescales are contingent upon the ORL development	In Progress	MC CSP 10a, MC CSP 10b, MC CSP 10c, MC CSP 5.13C & MC CSP 5.13D
Implement agile working across the organisation	Agree a business case for creating modern workspaces	Work is continuing to progress this action and progress / review of this action will be covered by 6 new transformation strands that will be monitored within our 22/23 corporate actions.	Cancelled	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
Implement agile working across the organisation	Agree an agile working policy with staff	A new blended working approach has been implemented and will be reviewed over time. Progress and review of these action will be covered by 6 new transformation strands that will be monitored within our 22/23 corporate actions	Completed	
Implement agile working across the organisation	Roll out MS Teams for all staff	MS Teams has been rolled out across both councils but with basic functionality including calls and messaging capabilities. The full Teams experience cannot be realised until we roll out Microsoft 365 which is going to be rolled out over the next 12-18 months in blocks so different services to assess success and iron out any issues found	Completed	
We will encourage greater use of the website and self-service for customers	Deliver an effective complaints and member query management system	This action has been completed with a separate module from our existing customer complaint module for members being added and implemented. Complaints will continue to be monitored into 22/23 and we continue to review the system we use in meeting our needs and financially viable	on-going action	QC CSP 5.1, QC CSP 5.2a, QC 5.2b, AC CSP 5.4 & QC CSP 5.6
We will encourage greater use of the website and self-service for customers	Maintain website accessibility (WCAG 2.1) standards	Our website has been independently tested and is partially compliant with said standards. Historical PDFs and external websites are the reason our website is not fully compliant. We are working through these (over 500) to rationalise where possible  Accessibility training has been carried out by an external supplier and offered to regular web editors. There are future plans for rolling out this training organisation wide to ensure that all pages and pdfs now being put on our site meets these basic standards.	on-going action	MC CSP 5.10C
We will improve the customer experience for those who use council services	Implement a central business support function	This will continue to be developed under a new Transforming East Herts strand that will be monitored and updates be provided on into 22/23	Cancelled	
We will improve the customer experience for those who use council services	Implement a new core digital platform	This will continue to be developed under a new Transforming East Herts strand that will be monitored and updates be provided on into 22/23	Cancelled	
We will improve the customer experience for those who use council services	Develop and implement customer service standards/behaviours as part of core competency behavioural development	This action will be updated under the East Herts Together work stream	Completed	

Parent Title	Action Title	Latest Note	Status	Linked PIs Code
We will improve the customer experience for those who use council services	Launch new Member case management system	The new system was launched last year and appears to be well established as a means of contact for councillors	Completed	QC CSP 5.6
We will work with partners to ensure our communities are digitally enabled	Ensure fibre to the premise (FTTP) is provided on all new developments	Ongoing as part of the planning application process for Gilston.	In Progress	
We will work with partners to ensure our communities are digitally enabled	Support joint delivery of Harlow and Gilston Garden Town as a fully sustainable and digital 'place'	Good progress continues to be made on the planning for the HGGT. Progress continues to be made on the planning applications currently submitted.	In Progress	
We will work with partners to ensure our communities are digitally enabled	Support the Digital Innovation Zone to lobby for investment in our towns and villages	Work continues through the CZA with the latest project of getting a common database for vacant commercial space and units across the area in place	In Progress	

Theme: Sustainability

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>AC HH 228:</b> Number of e-chargers installed on council premises	13	13	Trend Only			There has not been any significant increases in electric charging points which has remained the same for a year and a half. There are plans for a significant increase later this year to around 60 across the District but further increases will likely be ad hoc and in waves rather than regular increases.

Theme: Enabling Communities

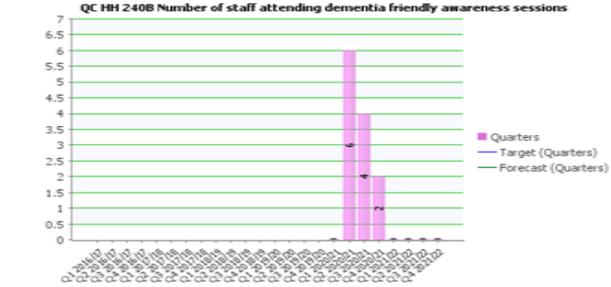
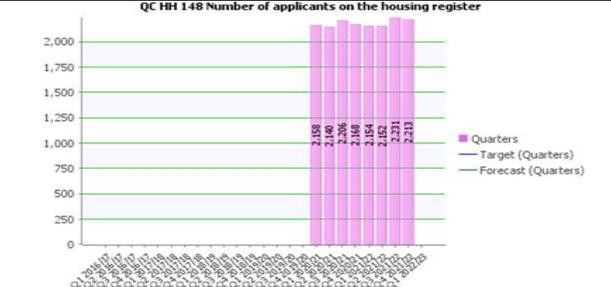
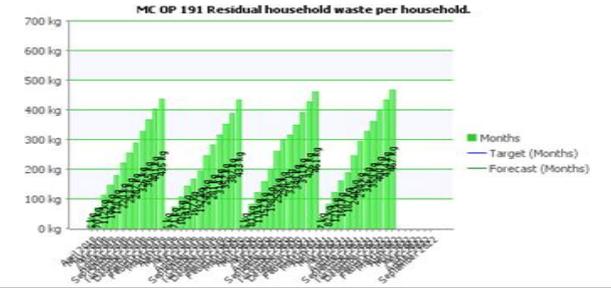
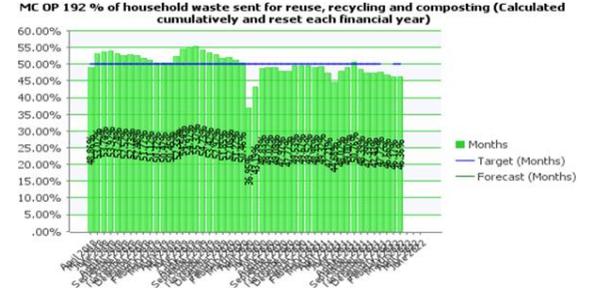
Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC HH 151:</b> Number of homeless households living in temporary accommodation at the end of the quarter	37	42	Trend Only			At the end of March 2022 the council had 37 households in temporary accommodation under statutory homeless duties. 25 were accommodated in the council's hostel provision, 4 were in private sector leased accommodation and a further 8 were in B&B accommodation. A further 9 single person households were being provided with discretionary accommodation under the government & Sleeping and Protect and Vaccinate Initiatives .
<b>QC OP 2.4</b> % of fly tips removed completed within our 2 day SLA	100%	100%	100%			KPI continues to remain within targets. Regular campaigns on twitter highlighting fly tipping incidents hoping to raise awareness

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC RB 181:</b> Time taken to process Housing Benefit new claims and change events	7.15 days	9.4	10 days	↓	<p><b>MC RB 181 Time taken to process Housing Benefit new claims and change events.</b></p>	Figures are well within targets but are an increase on the same time the previous year
<b>MC RB 10.2:</b> Council tax collection, % of current year liability collected	97.10%	94.80%	98.60%	Cumulative over year	<p><b>MC RB 10.2 Council tax collection, % of current year liability collected.</b></p>	Figures match the same period last year at 97.1%, slightly below set targets
<b>QC CSP 5.12A:</b> Number of Twitter followers	11,733	11,587	Trend Only	↑	<p><b>QC CSP 5.12A Number of Twitter followers</b></p>	
<b>QC CSP 5.12B:</b> Number of LinkedIn followers	1,717	1,567	Trend Only	↑	<p><b>QC CSP 5.12B Number of LinkedIn followers</b></p>	Steady rise of around 100 a month over the past few quarters. We've seen follower numbers and engagement levels increase throughout the year across all channels, especially in Q3 and Q4 when the team was back to full strength and working towards a refreshed strategy. We're ensuring more positive news is posted and are encouraging conversations, on our own posts and with others. In general, we're adopting a fun/light-hearted approach through our social channels when it's appropriate to the message. The team has tested new digital marketing techniques with good results and engagement in local Facebook groups has proved a positive step, particularly when an initiative/message isn't affecting the whole district.

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History																																								
Q CSP 5.12C: Number of Instagram followers	2,556	2,504	Trend Only	↑	<p><b>QC CSP 5.12C No of Instagram Followers</b></p> <table border="1"> <caption>Instagram Followers Data</caption> <thead> <tr><th>Quarter</th><th>Followers</th></tr> </thead> <tbody> <tr><td>Q1 2017</td><td>188</td></tr> <tr><td>Q2 2017</td><td>401</td></tr> <tr><td>Q3 2017</td><td>601</td></tr> <tr><td>Q4 2017</td><td>1,470</td></tr> <tr><td>Q1 2018</td><td>1,616</td></tr> <tr><td>Q2 2018</td><td>1,806</td></tr> <tr><td>Q3 2018</td><td>2,113</td></tr> <tr><td>Q4 2018</td><td>2,277</td></tr> <tr><td>Q1 2019</td><td>2,387</td></tr> <tr><td>Q2 2019</td><td>2,444</td></tr> <tr><td>Q3 2019</td><td>2,504</td></tr> <tr><td>Q4 2019</td><td>2,556</td></tr> </tbody> </table>	Quarter	Followers	Q1 2017	188	Q2 2017	401	Q3 2017	601	Q4 2017	1,470	Q1 2018	1,616	Q2 2018	1,806	Q3 2018	2,113	Q4 2018	2,277	Q1 2019	2,387	Q2 2019	2,444	Q3 2019	2,504	Q4 2019	2,556															
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Q CSP 5.12D: Press favourability score	172	55	Trend Only	↑	<p><b>QC CSP 5.12D Press favourability score</b></p> <table border="1"> <caption>Press Favourability Score Data</caption> <thead> <tr><th>Quarter</th><th>Score</th></tr> </thead> <tbody> <tr><td>Q1 2017</td><td>18</td></tr> <tr><td>Q2 2017</td><td>52</td></tr> <tr><td>Q3 2017</td><td>85</td></tr> <tr><td>Q4 2017</td><td>106</td></tr> <tr><td>Q1 2018</td><td>106</td></tr> <tr><td>Q2 2018</td><td>172</td></tr> </tbody> </table>	Quarter	Score	Q1 2017	18	Q2 2017	52	Q3 2017	85	Q4 2017	106	Q1 2018	106	Q2 2018	172	The last quarter brought a really positive scoring. This was due in part to an increased of proactive press releases including tree planting, grant allocations and the £150 Council Tax rebate																										
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Q CSP 5.12E Number of Facebook likes and followers	6,080	5,731	Trend Only	↑	<p><b>QC CSP 5.12E Number of Facebook followers (facebook likes).</b></p> <table border="1"> <caption>Facebook Followers Data</caption> <thead> <tr><th>Quarter</th><th>Followers</th></tr> </thead> <tbody> <tr><td>Q1 2017</td><td>467</td></tr> <tr><td>Q2 2017</td><td>489</td></tr> <tr><td>Q3 2017</td><td>520</td></tr> <tr><td>Q4 2017</td><td>549</td></tr> <tr><td>Q1 2018</td><td>610</td></tr> <tr><td>Q2 2018</td><td>702</td></tr> <tr><td>Q3 2018</td><td>878</td></tr> <tr><td>Q4 2018</td><td>1,038</td></tr> <tr><td>Q1 2019</td><td>2,103</td></tr> <tr><td>Q2 2019</td><td>2,274</td></tr> <tr><td>Q3 2019</td><td>3,516</td></tr> <tr><td>Q4 2019</td><td>4,013</td></tr> <tr><td>Q1 2020</td><td>4,513</td></tr> <tr><td>Q2 2020</td><td>5,047</td></tr> <tr><td>Q3 2020</td><td>5,279</td></tr> <tr><td>Q4 2020</td><td>5,568</td></tr> <tr><td>Q1 2021</td><td>5,731</td></tr> <tr><td>Q2 2021</td><td>5,980</td></tr> <tr><td>Q3 2021</td><td>6,080</td></tr> </tbody> </table>	Quarter	Followers	Q1 2017	467	Q2 2017	489	Q3 2017	520	Q4 2017	549	Q1 2018	610	Q2 2018	702	Q3 2018	878	Q4 2018	1,038	Q1 2019	2,103	Q2 2019	2,274	Q3 2019	3,516	Q4 2019	4,013	Q1 2020	4,513	Q2 2020	5,047	Q3 2020	5,279	Q4 2020	5,568	Q1 2021	5,731	Q2 2021	5,980	Q3 2021	6,080	Followers continue to rise
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Q CSP 5.12F: Number of email subscribers to network	3,885	3,695	Trend Only	↑	<p><b>QC CSP 5.12F Number of email subscribers to network</b></p> <table border="1"> <caption>Email Subscribers Data</caption> <thead> <tr><th>Quarter</th><th>Subscribers</th></tr> </thead> <tbody> <tr><td>Q1 2017</td><td>2,583</td></tr> <tr><td>Q2 2017</td><td>2,667</td></tr> <tr><td>Q3 2017</td><td>2,651</td></tr> <tr><td>Q4 2017</td><td>2,551</td></tr> <tr><td>Q1 2018</td><td>3,400</td></tr> <tr><td>Q2 2018</td><td>3,551</td></tr> <tr><td>Q3 2018</td><td>3,447</td></tr> <tr><td>Q4 2018</td><td>3,635</td></tr> <tr><td>Q1 2019</td><td>3,885</td></tr> </tbody> </table>	Quarter	Subscribers	Q1 2017	2,583	Q2 2017	2,667	Q3 2017	2,651	Q4 2017	2,551	Q1 2018	3,400	Q2 2018	3,551	Q3 2018	3,447	Q4 2018	3,635	Q1 2019	3,885	We've seen our best increase in subscriber numbers this year following the introduction of new content features and stylistic changes.																				
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Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC HH 238A:</b> Number of unique clients supported through the EH Social Prescribing Service	27	55	Trend Only	↓	<b>QC HH 238A Number of unique clients supported through the Healthy Hub</b> 	Social prescribing pathways continue to be supported through the Healthy Hub.
<b>QC HH 238B:</b> Number of unique clients engaging with healthy hub services	1	2	Trend Only	↓	<b>QC HH 238B Number of EH residents registering for Healthy Hubs</b> 	Limited numbers of clients engaging directly with Healthy Hub services. Increases in numbers engaging with the Healthy Hub are expected in Q1 of 22/23 with the new delivery model now up and running
<b>QC HH 238C:</b> Number of EH residents attending Healthy Hub sessions	20 (Quarter 2 2021/22)	22	Trend Only	↓	<b>QC HH 238C Number of EH residents attending Healthy Hub sessions</b> 	Since launching, one week prior to the pandemic, the Healthy Hub has evolved significantly and now operates in a different way to when it was first launched. Direct delivery of sessions has ceased due to low engagement. Instead, the Healthy Hub now funds (using Public Health funding) local community groups to delivery initiatives to EH residents. The first seven projects started in Q4 of 21/22. Data on engagement in these projects is expected in Q1 of 22/23
<b>QC HH 238D:</b> Number of Healthy Hub sessions run through the Healthy Hub (including Health Hub commissioned sessions)	0	0	Trend Only	↓	<b>QC HH 238D Number of Healthy Hub sessions run through the Healthy Hub (including Health Hub commissioned sessions)</b> 	As with Q3, Healthy Hubs has moved to a commissioning rather than direct delivery model

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC HH 238E:</b> Number of onward referrals through Healthy Hubs	1	2	Trend Only	↓		Please see 238e for more details on engagement
<b>QC HH 239A</b> Unique number of cases raised by ASB	23	15	Trend Only	↑		Online reporting now the most popular method of reporting. Post has become the least popular method with only one letter received.
<b>QC HH 239B:</b> Number of safeguarding referrals	29	22	Trend Only	↑		Number of referrals received in 2021/22 is consistent with the previous year. 29 referrals received in total compared to the 30 referrals received in 2020/21. Q4 concerns raised included mental health, self-neglect and sexual abuse.
<b>QC HH 240A:</b> Number of new agencies signed up to the Dementia Friendly pledge	2	0	Trend Only	↑		This indicator will change from next quarter to ' Number of new agencies signed up to the Dementia Friendly pledge ' to reflect that we no longer directly deliver. □ Community Wellbeing team continue to lead the development of Dementia work. The network continues to grow and the council has been awarded Dementia Friendly status for the third consecutive year.

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC HH 240B:</b> Number of staff attending dementia friendly awareness sessions	0	0	Trend Only		 <p>QC HH 240B Number of staff attending dementia friendly awareness sessions</p>	Currently no staff signing up to dementia awareness session but sessions have been provided to a range of partner organisations resulting in an additional 36 Dementia Friends in East Herts. Indicator will be archived for 22/23
<b>QC HH 148:</b> Number of applicants on the housing register	2,213	2,231	Trend Only	Trend Only	 <p>QC HH 148 Number of applicants on the housing register</p>	At the end of March 2022 there were 2,213 households on the East Herts Housing Register . The breakdown of accommodation required was: 1 bedroom - 1,071 households, 2 bedrooms 668 households, 3 bedrooms 381 households and 93 households required 4 bedroom accommodation. The demand both in numbers and proportionally has increased this year for 3 and 4 bedroom homes which is compounded by the availability of larger homes for re-let particularly 4 bedroom.
<b>QC OP 191:</b> Residual household waste per household	467kg	434kg	Trend only	Cumulative over year	 <p>QC OP 191 Residual household waste per household.</p>	March 21 estimated data, awaiting data confirmation from County. This represents 6kg a year more per household and is likely as a result of covid meaning people spend more time at home and the garden waste charges that were introduced last year meaning more garden waste has been put into waste as not all households took up the option.
<b>QC OP 192:</b> % of household waste sent for reuse, recycling and composting	46.16%	47.72%	50%		 <p>QC OP 192 % of household waste sent for reuse, recycling and composting (Calculated cumulatively and reset each financial year)</p>	March 21 estimated data, awaiting data confirmation from County. This reduction in recycling rates (49.32% last March) is due in part to reasons set out in the above 191 indicator

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC OP 2.2:</b> % of collections emptied on the scheduled day.	99.92%	99.94%	Trend only	↑	<p>QC OP 2.2 % of collections emptied on the scheduled day.</p>	% collections emptied on scheduled day has fallen slightly under set target for quarter 4 and is a reflection of national issues such as shortage of drivers and covid.
<b>QC HH 184</b> % of food premises in the area which are broadly compliant with food hygiene law	n/a	n/a	85%	n/a	<p>QC HH 184 % of food premises in the area which are broadly compliant with food hygiene law</p>	The FSA have launched a recovery plan that we are working to following COVID hence these are not currently being measured.
<b>QC HH 208</b> Number of public burials undertaken	20	15	Trend Only	↑	<p>QC HH 208 Number of public burials undertaken</p>	2021/22 - Target Exceeded. 100% of public health burial requests were responded to within target times. This equates to 0 request(s) missing their first responses since April 2021. 20 requests for service have been received since April 2021; this compares with 5 request(s) for service received on average, over the last three years, for the same period.
<b>MC OP 300</b> Inspector's grading of Urbaser street cleaning - % of Contract Officer street inspections graded B or above	94%	94%	100%	↓	<p>MC OP 300 Inspector's grading of Urbaser street cleaning - % of Contract Officer street inspections graded B or above</p>	This indicator has failed to reach set targets for the last 3 months and is being closely being monitored by the contractor and the council . The council continues to promote social media campaigns around litter reduction and to highlight problem areas and the work we are doing. The indicator is under review with a view to considering how we measure as it is difficult to benchmark against another council given the methodology for recording

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>AC PB 218a:</b> Total number of new dwellings delivered per year	994 (2020/21)	n/a	994 (2020-21)	n/a	<p>AC PB 218a Total number of new dwellings delivered per year</p>	Figures for 2021/22 will be available in July 2022.
<b>AC PB 218b:</b> Total number of new affordable homes delivered per year	152	n/a	326 (2020-21)	n/a	<p>AC PB 218b Total number of new affordable homes delivered per year</p>	A total of 152 new affordable homes were completed in East Herts in 2021-2022, 115 homes for affordable rent and 37 homes for low cost ownership. Home delivery is often subject to highs and lows across financial years

**Theme: Encouraging Economic Growth**

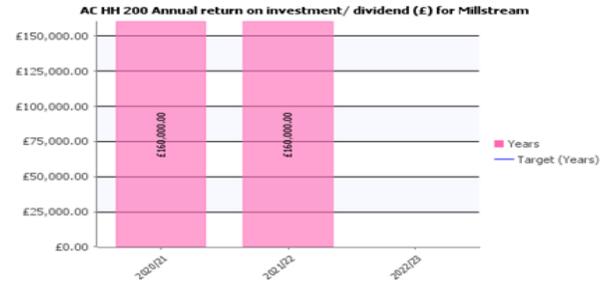
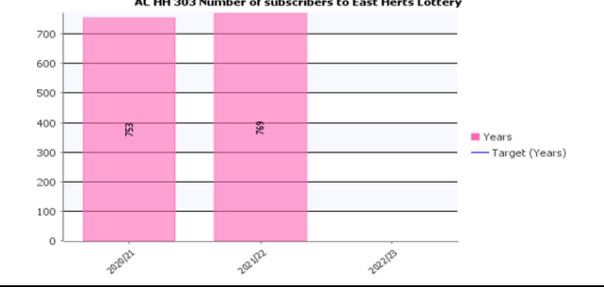
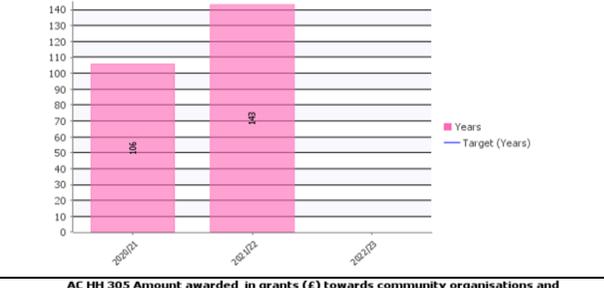
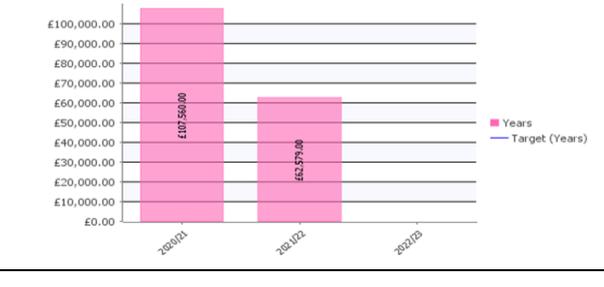
Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC CSP 111</b> Vacancy Rates in Town Centres	8.55%	8.55%	Trend Only	↑	<p>QC CSP 111 Vacancy Rates in Town Centres</p>	Again a very slight rise, offset by a reduction in the non-town centre commercial vacancies. Overall vacancy trend pan-district downwards.

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC CSP 13.1</b> Total number of businesses using the Launchpad facility	61	55	Trend Only	↑		Recovering well from COVID. More space has been opened up and this represents the highest number of businesses using the facility since launched
<b>MC CSP 13.3</b> Total income from businesses using the Launchpad facility	£111,538	£98,160	Trend Only	↑		Record income from Launchpad for the year, recovering well after COVID
<b>MC RB 10.4:</b> NNDR (Business rates) collection, % of current year liability collected	97.00%	94.10%	97.50%	↑		Business rates collection sits at 97%, 0.5% below set targets but
<b>MC PB 157A:</b> % Processing of planning applications dealt with in timely manner - Major applications (Majors under 13 weeks)	57.00%	100.00%	60.00%	↓		<p>4 of 7 applications were met within timescales which means we have marginally missed our target for this month. Whilst this is below target the average for the year and Quarter are still within target.</p> <p>Please see Appendix A ' Deliver a fit for purpose planning service including provision of pre-application advice, determination of planning applications and approval of the strategic sites allocated in the District Plan in accordance with the housing trajectory' for more details on service</p>

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC PB 157B:</b> % Processing of planning applications dealt with in timely manner- Minor applications (Minors under 8 weeks)	77.00%	61.00%	80.00%	↑	<b>MC PB 157B % Processing of planning applications dealt with in timely manner- Minor applications (Minors under 8 weeks).</b> 	<p>20 of 26 applications were met within timescales which means we have marginally missed our target for this month. Whilst this is below target the average for the year (67%) is slightly above National targets.</p> <p>Please see Appendix A ' Deliver a fit for purpose planning service including provision of pre-application advice, determination of planning applications and approval of the strategic sites allocated in the District Plan in accordance with the housing trajectory' for more details on service</p>
<b>MC PB 157C:</b> % Processing of planning applications dealt with in timely manner- Other applications (Others under 8 weeks).	85.00%	69.00%	90.00%	↑	<b>MC PB 157C % Processing of planning applications dealt with in timely manner- Other applications (Others under 8 weeks).</b> 	<p>122 of 144 applications were met within timescales which means we have marginally missed our target for this month. Across the year, this sits slightly below national targets of 80%, at 79.3%</p> <p>Please see Appendix A ' Deliver a fit for purpose planning service including provision of pre-application advice, determination of planning applications and approval of the strategic sites allocated in the District Plan in accordance with the housing trajectory' for more details on service</p>
<b>QC HH 155</b> Number of affordable homes delivered and advertised through housing associations	173	141	Cumulative over year	↑	<b>QC HH 155 Number of affordable homes delivered and advertised through housing associations</b> 	<p>To the end of March 2022 a total of 173 new affordable homes (132/76% affordable rented homes and 41/24% shared ownership) were completed and advertised through the council's Choice Based Lettings Service or Home Buy Agent. All of the properties were developed as part of Section 106 planning obligations</p>

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History																								
AC CSP 14.3 Total value of visitor economy to East Herts	£151,000,000 (Based on 2020 results)	292,922,000	Trend Only	↓	<table border="1"> <caption>AC CSP 14.3 Total value of visitor economy to East Herts</caption> <thead> <tr> <th>Year</th> <th>Value (£)</th> </tr> </thead> <tbody> <tr><td>2013/13</td><td>232,560,000.00</td></tr> <tr><td>2014/14</td><td>232,560,000.00</td></tr> <tr><td>2015/15</td><td>232,560,000.00</td></tr> <tr><td>2016/16</td><td>232,560,000.00</td></tr> <tr><td>2017/17</td><td>232,560,000.00</td></tr> <tr><td>2018/18</td><td>232,560,000.00</td></tr> <tr><td>2019/19</td><td>232,560,000.00</td></tr> <tr><td>2020/20</td><td>151,000,000.00</td></tr> <tr><td>2021/21</td><td>151,000,000.00</td></tr> <tr><td>2022/22</td><td>151,000,000.00</td></tr> <tr><td>2023/23</td><td>151,000,000.00</td></tr> </tbody> </table>	Year	Value (£)	2013/13	232,560,000.00	2014/14	232,560,000.00	2015/15	232,560,000.00	2016/16	232,560,000.00	2017/17	232,560,000.00	2018/18	232,560,000.00	2019/19	232,560,000.00	2020/20	151,000,000.00	2021/21	151,000,000.00	2022/22	151,000,000.00	2023/23	151,000,000.00	<p>This report reflects data from 2020: As with every where else, East Herts tourism and hospitality was hit by the lack of overseas visitors and overnight stays during the pandemic. Volumes and spend overall were down 45 and 65% respectively, although we lost nearer 20% of jobs and fared better than other districts who were more reliant on business travel.</p>
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2013/13	232,560,000.00																													
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AC CSP 14.4 Total number of day trips and overnight trips to district	2,500,000 (Based on 2020 results)	4,482,000	Trend Only	↓	<table border="1"> <caption>AC CSP 14.4 Total number of day trips and overnight trips to district</caption> <thead> <tr> <th>Year</th> <th>Number of Trips</th> </tr> </thead> <tbody> <tr><td>2013/13</td><td>1,290,000</td></tr> <tr><td>2014/14</td><td>1,290,000</td></tr> <tr><td>2015/15</td><td>1,290,000</td></tr> <tr><td>2016/16</td><td>1,290,000</td></tr> <tr><td>2017/17</td><td>1,290,000</td></tr> <tr><td>2018/18</td><td>1,290,000</td></tr> <tr><td>2019/19</td><td>1,290,000</td></tr> <tr><td>2020/20</td><td>2,500,000</td></tr> <tr><td>2021/21</td><td>2,500,000</td></tr> <tr><td>2022/22</td><td>2,500,000</td></tr> <tr><td>2023/23</td><td>2,500,000</td></tr> </tbody> </table>	Year	Number of Trips	2013/13	1,290,000	2014/14	1,290,000	2015/15	1,290,000	2016/16	1,290,000	2017/17	1,290,000	2018/18	1,290,000	2019/19	1,290,000	2020/20	2,500,000	2021/21	2,500,000	2022/22	2,500,000	2023/23	2,500,000	<p>This report reflects data from 2020: 2.5 million trips undertaken in the area broken down into;</p> <ul style="list-style-type: none"> <li>o 2.4 million day trips</li> <li>o 0.1 million overnight trips, resulting in 0.8 million nights spent in the area</li> </ul>
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2023/23	2,500,000																													
AC CSP 14.5 Total number of jobs in district attributed to visitor economy	4,391 (Based on 2020 results)	5,497	Trend Only	↓	<table border="1"> <caption>AC CSP 14.5 Total number of jobs in district attributed to visitor economy</caption> <thead> <tr> <th>Year</th> <th>Number of Jobs</th> </tr> </thead> <tbody> <tr><td>2013/13</td><td>4,391</td></tr> <tr><td>2014/14</td><td>4,391</td></tr> <tr><td>2015/15</td><td>4,391</td></tr> <tr><td>2016/16</td><td>4,391</td></tr> <tr><td>2017/17</td><td>4,391</td></tr> <tr><td>2018/18</td><td>4,391</td></tr> <tr><td>2019/19</td><td>4,391</td></tr> <tr><td>2020/20</td><td>4,391</td></tr> <tr><td>2021/21</td><td>4,391</td></tr> <tr><td>2022/22</td><td>4,391</td></tr> <tr><td>2023/23</td><td>4,391</td></tr> </tbody> </table>	Year	Number of Jobs	2013/13	4,391	2014/14	4,391	2015/15	4,391	2016/16	4,391	2017/17	4,391	2018/18	4,391	2019/19	4,391	2020/20	4,391	2021/21	4,391	2022/22	4,391	2023/23	4,391	<p>This report reflects data from 2020: 4,391 jobs supported the following. These figures don't appear to be too much of a decrease probably due to the furlough scheme</p> <ul style="list-style-type: none"> <li>o 3,599 tourism jobs directly supported</li> <li>o 793 non-tourism related jobs supported by the visitor economy</li> </ul>
Year	Number of Jobs																													
2013/13	4,391																													
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AC CSP 210: Number of businesses supported through Launchpad 2	25	N/A (New Indicator)	Trend Only	n/a	<table border="1"> <caption>AC CSP 210 Number of businesses supported through Launchpad 2</caption> <thead> <tr> <th>Year</th> <th>Number of Businesses</th> </tr> </thead> <tbody> <tr><td>2021/22</td><td>25</td></tr> <tr><td>2022/23</td><td>25</td></tr> <tr><td>2023/24</td><td>25</td></tr> </tbody> </table>	Year	Number of Businesses	2021/22	25	2022/23	25	2023/24	25	<p>Updated from 'Number of businesses supported across bio-science, social enterprise and Airport MRO sectors'. This is the first year of collection so we will be in a better place the following year to provide context in results</p>																
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Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History																					
<b>AC CSP 211</b> Number of businesses receiving financial support through Launchpad 2	11	N/A (New Indicator )	Trend Only	n/a	<p>AC CSP 211 Number of businesses receiving financial support through Launchpad 2</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2021/22</td> <td>11</td> <td>10</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> <tr> <td>2023/24</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Actual	Target	2021/22	11	10	2022/23	-	-	2023/24	-	-	Updated from 'Number of businesses receiving financial support across bio-science, social enterprise and Airport MRO sectors'. This is the first year of collection so we will be in a better place the following year to provide context in results									
Year	Actual	Target																									
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2022/23	-	-																									
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<b>AC CSP 212</b> Number of businesses receiving non-financial support through Launchpad 2	14	N/A (New Indicator )	Trend Only	n/a	<p>AC CSP 212 Number of businesses receiving non-financial support through Launchpad 2</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2021/22</td> <td>14</td> <td>12</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> <tr> <td>2023/24</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Actual	Target	2021/22	14	12	2022/23	-	-	2023/24	-	-	This support was broken down into; 2 businesses who had 12 hours support and 12 businesses who each had 3 hours diagnostic support. Updated from 'Number of businesses receiving non-financial support across bio-science, social enterprise and Airport MRO sectors'. This is the first year of collection so we will be in a better place the following year to provide context in results									
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<b>AC CSP 217a</b> Amount of section 106 contributions awarded (£)	£2,668,065.92	£1,518,285.73	Trend Only	↑	<p>AC CSP 217a Amount of section 106 contributions awarded (£)</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2017/18</td> <td>£743,702.54</td> <td>£743,702.54</td> </tr> <tr> <td>2018/19</td> <td>£842,895.26</td> <td>£842,895.26</td> </tr> <tr> <td>2019/20</td> <td>£1,911,961.44</td> <td>£1,911,961.44</td> </tr> <tr> <td>2020/21</td> <td>£1,518,285.73</td> <td>£1,518,285.73</td> </tr> <tr> <td>2021/22</td> <td>£2,668,065.92</td> <td>£2,668,065.92</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Actual	Target	2017/18	£743,702.54	£743,702.54	2018/19	£842,895.26	£842,895.26	2019/20	£1,911,961.44	£1,911,961.44	2020/21	£1,518,285.73	£1,518,285.73	2021/22	£2,668,065.92	£2,668,065.92	2022/23	-	-	Payment was triggered from seventeen (17) individual Section 106 Agreements in 2021/22, resulting in receipt of £2,668,065.92 in financial contributions. (This figure includes the indexation added on to the original contribution amount).  Further detailed information on Section 106 receipts and allocations for the financial year 2021/22 will be published in the Infrastructure Funding Statement in December 2022.
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<b>AC CSP 217b</b> Amount of Section 106 contributions allocated (£)	£3,125,381.58	£715,242.95	Trend Only	↑	<p>AC CSP 217b Amount of Section 106 contributions allocated (£)</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2017/18</td> <td>£100.00</td> <td>£100.00</td> </tr> <tr> <td>2018/19</td> <td>£81,049.03</td> <td>£81,049.03</td> </tr> <tr> <td>2019/20</td> <td>£688,662.58</td> <td>£688,662.58</td> </tr> <tr> <td>2020/21</td> <td>£715,242.95</td> <td>£715,242.95</td> </tr> <tr> <td>2021/22</td> <td>£3,125,381.58</td> <td>£3,125,381.58</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Actual	Target	2017/18	£100.00	£100.00	2018/19	£81,049.03	£81,049.03	2019/20	£688,662.58	£688,662.58	2020/21	£715,242.95	£715,242.95	2021/22	£3,125,381.58	£3,125,381.58	2022/23	-	-	The provisional Section 106 allocation figure for 2021/22 is £3,125,381.58  The final total Section 106 allocation is currently being finalised with the Finance Team to include contributions transferred to Capital and utilised for East Herts projects and internal uses over 2021/22.  The Infrastructure Funding Statement for 2021/22 will be published in December 2022 and will provide full details of each individual allocation and contribution use.
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Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History												
AC HH 200 Annual return on investment/ dividend (£) for Millstream	£160,000	£160,000	Trend Only		<p><b>AC HH 200 Annual return on investment/ dividend (£) for Millstream</b></p>  <table border="1"> <thead> <tr> <th>Year</th> <th>Value (£)</th> <th>Target (£)</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>160,000.00</td> <td>160,000.00</td> </tr> <tr> <td>2021/22</td> <td>160,000.00</td> <td>160,000.00</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Value (£)	Target (£)	2020/21	160,000.00	160,000.00	2021/22	160,000.00	160,000.00	2022/23	-	-	£160,000 return to East Herts Council achieved in 2021/22
Year	Value (£)	Target (£)																
2020/21	160,000.00	160,000.00																
2021/22	160,000.00	160,000.00																
2022/23	-	-																
AC HH 303 Number of subscribers to East Herts Lottery	769	753	Trend Only		<p><b>AC HH 303 Number of subscribers to East Herts Lottery</b></p>  <table border="1"> <thead> <tr> <th>Year</th> <th>Value</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>753</td> <td>753</td> </tr> <tr> <td>2021/22</td> <td>769</td> <td>753</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Value	Target	2020/21	753	753	2021/22	769	753	2022/23	-	-	Small Increase year on year
Year	Value	Target																
2020/21	753	753																
2021/22	769	753																
2022/23	-	-																
AC HH 304 Number of groups signed up to take part in East Herts Lottery	143	106	Trend Only		<p><b>AC HH 304 Number of groups signed up to take part in East Herts Lottery</b></p>  <table border="1"> <thead> <tr> <th>Year</th> <th>Value</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>106</td> <td>106</td> </tr> <tr> <td>2021/22</td> <td>143</td> <td>106</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Value	Target	2020/21	106	106	2021/22	143	106	2022/23	-	-	Small Increase year on year
Year	Value	Target																
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AC HH 305 Amount awarded in grants (£) towards community organisations and individuals	£62,579	107,560	Trend Only		<p><b>AC HH 305 Amount awarded in grants (£) towards community organisations and individuals</b></p>  <table border="1"> <thead> <tr> <th>Year</th> <th>Value (£)</th> <th>Target (£)</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>107,560.00</td> <td>107,560.00</td> </tr> <tr> <td>2021/22</td> <td>62,579.00</td> <td>107,560.00</td> </tr> <tr> <td>2022/23</td> <td>-</td> <td>-</td> </tr> </tbody> </table>	Year	Value (£)	Target (£)	2020/21	107,560.00	107,560.00	2021/22	62,579.00	107,560.00	2022/23	-	-	Updated from 'Amount awarded in grants (£) from East Herts Lottery'. □ Funding round oversubscribed. All applications assessed and funding allocated.
Year	Value (£)	Target (£)																
2020/21	107,560.00	107,560.00																
2021/22	62,579.00	107,560.00																
2022/23	-	-																

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History									
<b>AC HH 306:</b> Number of groups signed up to take part in crowdfunding platform	0	5	Trend Only	↓	<p><b>AC HH 306 Number of groups signed up to take part in crowdfunding platform</b></p> <table border="1"> <caption>AC HH 306 Performance Data</caption> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>5</td> <td>5</td> </tr> <tr> <td>2021/22</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Year	Actual	Target	2020/21	5	5	2021/22	0	0	Crowdfunding pilot now on hold due to lack of groups signing up. We are continuing to discuss options with Crowdfunder to establish how viable this project is moving forward. Indicator will now be archived for 22/23
Year	Actual	Target													
2020/21	5	5													
2021/22	0	0													
<b>AC HH 307:</b> Amount awarded (£) in supporting the crowdfunding platform	£2,000	£4,000	Trend Only	↓	<p><b>AC HH 307 Amount awarded (£) in supporting the crowdfunding platform</b></p> <table border="1"> <caption>AC HH 307 Performance Data</caption> <thead> <tr> <th>Year</th> <th>Actual</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>£4,000.00</td> <td>£4,000.00</td> </tr> <tr> <td>2021/22</td> <td>£2,000.00</td> <td>£2,000.00</td> </tr> </tbody> </table>	Year	Actual	Target	2020/21	£4,000.00	£4,000.00	2021/22	£2,000.00	£2,000.00	A further £2,000 was committed in 2021/22. The project is now on hold due to a lack on sign up from community groups. Indicator will now be archived for 22/23
Year	Actual	Target													
2020/21	£4,000.00	£4,000.00													
2021/22	£2,000.00	£2,000.00													

**Theme: Digital by Design**

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History												
<b>MC CSP 10A:</b> % of households that have signed up to Council Tax Self Serve	22.12%	21.21%	Trend Only	↑	<p><b>MC CSP 10a % of households that have signed up to Council Tax Self Serve</b></p> <table border="1"> <caption>MC CSP 10a Performance Data</caption> <thead> <tr> <th>Month</th> <th>Actual</th> <th>Target</th> <th>Forecast</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2.0%</td> <td>10.0%</td> <td>12.5%</td> </tr> <tr> <td>12</td> <td>22.12%</td> <td>10.0%</td> <td>12.5%</td> </tr> </tbody> </table>	Month	Actual	Target	Forecast	1	2.0%	10.0%	12.5%	12	22.12%	10.0%	12.5%	14,393 households are now signed up to Council Tax self serve, an addition of 607 households from the previous month.
Month	Actual	Target	Forecast															
1	2.0%	10.0%	12.5%															
12	22.12%	10.0%	12.5%															

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC CSP 10B:</b> % of Businesses that have registered to self-service (business rates)	6.23%	6.05%	Trend Only	↑		Figures continue to grow but at a smaller rate than households
<b>MC CSP 10C:</b> Number of Landlords that have signed up to self-service	71	71	N/A	↑		This figure has remained static for the past two quarters
<b>MC CSP 5.13C:</b> % Good Satisfaction (GovMetric) - Website	11.00%	26.00%	50%	↓		Comments and feedback shows a series of poor ratings and negative comments around bin collection pages in Q4. The majority are reflective of the disruption in service and not website issues. The web team are now notified of negative feedback in real-time so, where web issues are highlighted, they can be addressed swiftly. In addition a quarterly report is sent to members of leadership so they are made aware of feedback given in their service area. Comparing 21/22 to 20/21 in full, the negative rating has remained broadly consistent (42.7% vs 42.1%) as have the positive/neutral indicators (57.2% vs 57.8%).
<b>MC CSP 5.13D</b> % Good Satisfaction (GovMetric) - Email	50.00%	62.00%	80.00%	↓		The drop in stats has coincided with a reduction in staff across customer services and a significant increase in emails to deal with "per head" across the team. Feedback is generally less favourable towards queries in relation to waste services, having also encountered a number of severe resourcing challenges in recent months which has led to service disruption

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC CSP 5.10C</b> East Herts website accessibility score	75.00%	73%	Trend only	↑		<p>Webcurl have been working on back end development to improve our accessibility score. Seeing gradual improvement.</p> <p>Content = 81, User Experience = 86, Marketing = 87</p>
<b>QC CSP 1A - C</b> Proportion of Contacts by Channel (into Customer Service)	F2F: 2.45% Email/ Webform: 29.5% Phone: 68.06%	F2F: 1.31% Email/ Webform: 38.88% Phone: 59.81%	Trend only	Trend only		<p>There was an increase in calls during Q4, particularly in March which saw 8,761 calls during March. This would've been a combination of calls about annual garden waste charge, Council Tax enquires and repeated calls where the original call wasn't answered. There has been short term resourcing issue, meaning that call answer rates dropped leading to repeated attempted calls during this quarter but this has been addressed and new CSA members have been recruited and integrating well. The number of f2f interactions have also increased during this quarter as people get more used to the limited office opening hours and more confidence with living with Covid.</p> <p>Annually, email numbers into Customer services has remained very similar to the previous year (ca 31,000) whilst phone calls have reduced quite significantly from 84,000 to close to 74,000 this year.</p> <p>Using Customer Services contact as a proxy for contact % proportions is the most reflective method of looking at true customer contact but it is important to note that these figures are not the totals of contact across the organisation. These are detailed in 6.1a-6.1d</p>
<b>QC CSP 6.1A</b> Volume of total contact by Email	278,242	265,189	Trend Only	↑		<p>There were 334,786 emails into all council inboxes with 56,544 emails identified as junk. This leaves a total of 278,242 broken down into 239,831 into @eastherts.gov.uk and 38,411 into @hertspartnership. 31,000 of these emails went to customer services</p> <p>This reflects the total number of emails coming into the Council as a whole. Whilst we do have an email filtering system that identifies and excludes spam and suspicious emails, as an organisation we do get a significant number of emails that are sales or those that do not reflect customers or add value</p>

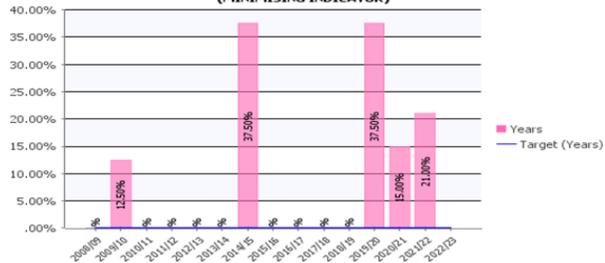
Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC CSP 6.1B</b> Volume of total contact by F2F	634	276	Trend Only	↑		The F2F offices have now been open for one day a week for a number of months now and a new normal is still to be realised with a large increase in numbers from the previous quarter. Across the year, there was 1,285 face to face visits into our offices having reopened on limited opening times from July
<b>QC CSP 6.1C</b> Volume of total contact by Phone	65,329	54,663	Trend Only	↑		Provisional CSA figures are as follows. Broken down into Jan - 18,879, Feb - 17,930 and March - 28,520.  This reflects the total number of calls coming into the Council as a whole and would include calls from contractors, marketing calls and any nuisance calls that do not necessarily reflect customer contact
<b>QC CSP 6.1D</b> Volume of total contact by Web forms	5,234	4,654	Trend Only	↑		There was approx. 5,234 web form submissions during Q4. The current method of collection is labour intensive as there is no filter functionality to search between date periods. This has been raised with developer

Theme: Supporting All

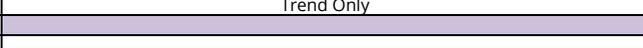
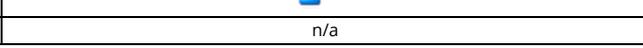
Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
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Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>MC DL 5.15</b> % of FOI cases closed in month that were closed within 20 working days or less	96.70%	100%	90%	↓	<b>MC DL 5.15 % of FOI cases closed in month that were closed within 20 working days or less</b> 	Monthly result continues to fall within set targets and has remained within set targets every month in 21/22 with only small fluctuations
<b>MC HR 12A</b> Number of short-term sickness absence days per FTE staff in post	0.44 days	0.21	0.33 Days	↑	<b>MC HR 12A Number of short-term sickness absence days per FTE staff in post</b> 	S/T absence for the year so far = 3.79 (end of year target = 4)  Over target this month due to high numbers of Covid cases & a few cases of sickness absences resulting in high numbers of days absent but not going into the long term sickness category.
<b>MC HR 12B</b> Number of long-term sickness absence days per FTE staff in post	0 days	0.03 days	0.17 days	↓	<b>MC HR 12B Number of long-term sickness absence days per FTE staff in post</b> 	L/T absence for the year so far = 2.36 (end of year target = 2)
<b>MC HR 12C</b> Total number of sickness absence days per FTE staff in post	0.44 days	0.24 days	0.50 days	↑	<b>MC HR 12C Total number of sickness absence days per FTE staff in post</b> 	Total sickness for the year so far = 6.15 (end of year target = 6)

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History
<b>QC CSP 5.1:</b> % of complaints resolved in 14 days (10 working days) or less (based on stage 1 complaints)	54.00%	42.00%	70.00%	↑	<b>QC CSP 5.1 % of complaints resolved in 14 days (10 working days) or less (based on stage 1 complaints)</b> 	39 complaints were dealt with in Q4. Of these, 19 took longer than 10 days to deal with. 29 of the 39 complaints related to Operations, 16 of which were about missed bins or bin replacements. 7 of the 39 complaints related to Planning. Across the year, there were 173 formal complaints, an increase on the previous year (162)
<b>QC CSP 5.2A:</b> % of complaints about the Council and its services that are upheld: 1st stage	67.00%	48.00%	30.00%	↑	<b>QC CSP 5.2A % of complaints about the Council and its services that are upheld: 1st stage</b> 	26 out of the 39 complaints were deemed to be upheld or partially upheld (meaning we have accepted some fault). The majority of these relate to missed bin collections or street cleaning/ litter clearance where staff shortages at the contractor and sickness levels due to Covid have impacted upon the service. Across the year, there was 56 complaints upheld at stage 1, a big increase on the previous year (23). There were slightly more complaints this year (170) than the previous year (165)
<b>QC CSP 5.2B:</b> % of complaints about the Council and its services that are upheld: 2nd Stage - appeal	34.00%	62.00%	25%	↓	<b>QC CSP 5.2B % of complaints about the Council and its services that are upheld: 2nd stage - appeal</b> 	12 Stage 2 complaints were dealt with in Q4. Of these, 4 were deemed to be upheld or partially upheld, 3 of which related to Operations and bin collection services. Across the year, there was 9 upheld complaints, an increase of last years figure of 2. There were more stage 2 complaints made this year (28) than the previous year (15)
<b>QC CSP 5.6</b> % of member enquiries responded to within 10 working days	83.91%	83.80%	80%	↑	<b>QC CSP 5.6 % of member enquiries responded to within 10 working days</b> 	out of 143 enquires - 12 were over 10 day period

Performance Indicator	Latest performance value	Previous reporting period	Performance target	Increase / Decrease from last period	Performance Data Trend	Notes & History												
AC CSP 5.4 % of complaints to the Local Government Ombudsman that are upheld	21%	15%	0%		<p><b>AC CSP 5.4 % of complaints to the Local Government Ombudsman that are upheld (MINIMISING INDICATOR)</b></p>  <table border="1"> <caption>AC CSP 5.4 % of complaints to the Local Government Ombudsman that are upheld (MINIMISING INDICATOR)</caption> <thead> <tr> <th>Year</th> <th>Value (%)</th> </tr> </thead> <tbody> <tr> <td>2009/10</td> <td>12.5%</td> </tr> <tr> <td>2014/15</td> <td>37.5%</td> </tr> <tr> <td>2017/18</td> <td>37.5%</td> </tr> <tr> <td>2020/21</td> <td>15.0%</td> </tr> <tr> <td>2021/22</td> <td>21.0%</td> </tr> </tbody> </table>	Year	Value (%)	2009/10	12.5%	2014/15	37.5%	2017/18	37.5%	2020/21	15.0%	2021/22	21.0%	14 complaints were referred to the Ombudsman over 2021/22. Of these, 9 were not investigated (meaning the Ombudsman was unlikely to fund injustice or maladministration). Of the 5 investigated, 3 were partially upheld. In 2 the Council was found to be not at fault.
Year	Value (%)																	
2009/10	12.5%																	
2014/15	37.5%																	
2017/18	37.5%																	
2020/21	15.0%																	
2021/22	21.0%																	

**KEY**

PI Status	
Performance is 6% or more off target	
Performance is less than 6% or more off target	
Performance is on target or exceeding target	
No target to set performance against	Trend Only
Latest Monthly/Q4/Annual data unavailable	
Movement since last period	
Value is higher than previous period & this is positive movement	
Value is higher than previous period but this is negative movement	
Value is lower than previous period but this is positive movement	
Value is lower than previous period & this is negative movement	
Value is the same as previous period	
N/A -Cumulative so will always be above previous period	n/a

# Agenda Item 8

## **East Herts Council Report**

### **Executive**

**Date of meeting:** 12 July 2022

**Report by:** Councillor Graham McAndrew, Executive Member for Environmental Sustainability

**Report title:** East Herts Climate Change Strategy 2022 to 2026

**Ward(s) affected:** All

### **Summary**

At its meeting of 24<sup>th</sup> July 2019, East Herts Council unanimously agreed a Climate Change Declaration in recognition of the climate emergency. Since that time, the council has developed and closely monitored a detailed Sustainability Action Plan. Now, a high-level Climate Change Strategy has been produced in order to make the council's overall direction of travel, which is guiding the action plan, as clear as possible.

The draft document has been consulted on and considered by the Overview and Scrutiny Committee on 21<sup>st</sup> June 2022, this report highlights the responses points raised. Members' views are sought prior to presentation of the strategy to Council.

### **RECOMMENDATIONS FOR EXECUTIVE:**

- (a) That Members consider the draft Climate Change Strategy 2022 – 2026, as amended following consultation and consideration by the Overview and Scrutiny Committee, and recommend it to Council for approval.

## **1.0 Proposal(s)**

1.1 The draft Climate Change Strategy document, attached at Appendix A, has been produced based on research and consultation. The strategy lays out, in high-level terms, the approach the council will take to delivering the key commitments in the Climate Change Declaration, these being to:

- join with other councils in recognising and declaring formally the necessity to do everything within the authority's power to reduce its impact on the climate and moreover everything we can in supporting the whole of East Herts District to become carbon neutral by 2030
- develop an ambitious sustainability strategy for reducing the council's own emissions, with an objective that the Council becomes carbon neutral by 2030.

## **2.0 Background**

2.1 Although there is no legislative requirement to produce a climate change strategy, a high-level strategy as proposed gives an opportunity for East Herts Council to:

- ensure a co-ordinated approach to its efforts to tackle climate change
- maximise opportunities and resources to meet the sustainability challenges within the district, using council resources and partnership opportunities
- allow the council to assess the scope for adopting new technology if/as wider adoption leads to low costs and in doing allow the council to make best use of existing and developing technological solutions

- promote the role of residents, community groups and public and private sector partners in delivering the necessary actions to work towards the council's carbon reduction aspirations.
- 2.2 An audit of the council's efforts to tackle climate change was conducted by the Shared Internal Audit Service (SIAS) in 2021. While SIAS commended the council on its ambition and the detail within its Sustainability Action Plan, they also suggested that a high-level Climate Change Strategy would be helpful in highlighting to the public and partners alike, the council's overall direction of travel. The draft Climate Change Strategy at Appendix A lays out the council's overall approach.
- 2.3 The draft Climate Change Strategy runs from 2022 to 2026 so as to provide the impetus to keep the strategy under review and make any necessary amendments and/or additions prior to the 2030 target date by which the council itself wishes to become carbon neutral and the date by which we wish to do all we can to achieve the same target across the district.

### **3.0 Reasons**

- 3.1 The proposed Climate Change Strategy clearly states the three overarching ways in which the council can seek to reduce carbon emissions and tackle climate change. The strategy lays out how the council aims to make a real difference by:
- making changes to the council's own premises and the services we deliver
  - using our regulatory powers to promote action by

others

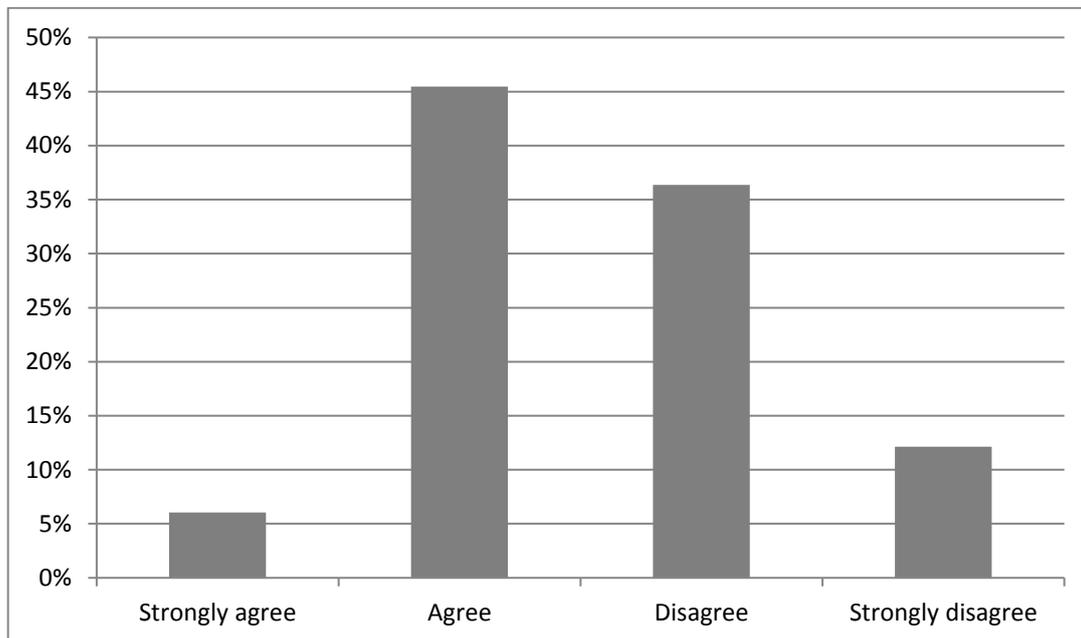
- influencing and encouraging others to do things.

3.2 The draft strategy has been informed by a public consultation exercise. The consultation ran from 23<sup>rd</sup> April 2022 to 23<sup>rd</sup> May 2022 and was openly available to any respondent via the council's website. Promotion took the form of three invitations to respond via our social media channels (Facebook, Instagram and Twitter) as well as direct e-mail outreach to all East Herts Council elected members, town and parish councils, officers, community partners including carbon and sustainability groups, housing associations, participants in the East Herts Environmental and Climate Forum and the Hertfordshire Climate Change and Sustainability Partnership (HCCSP). This consultation elicited a total of 35 responses.

### ***Outcomes of the consultation***

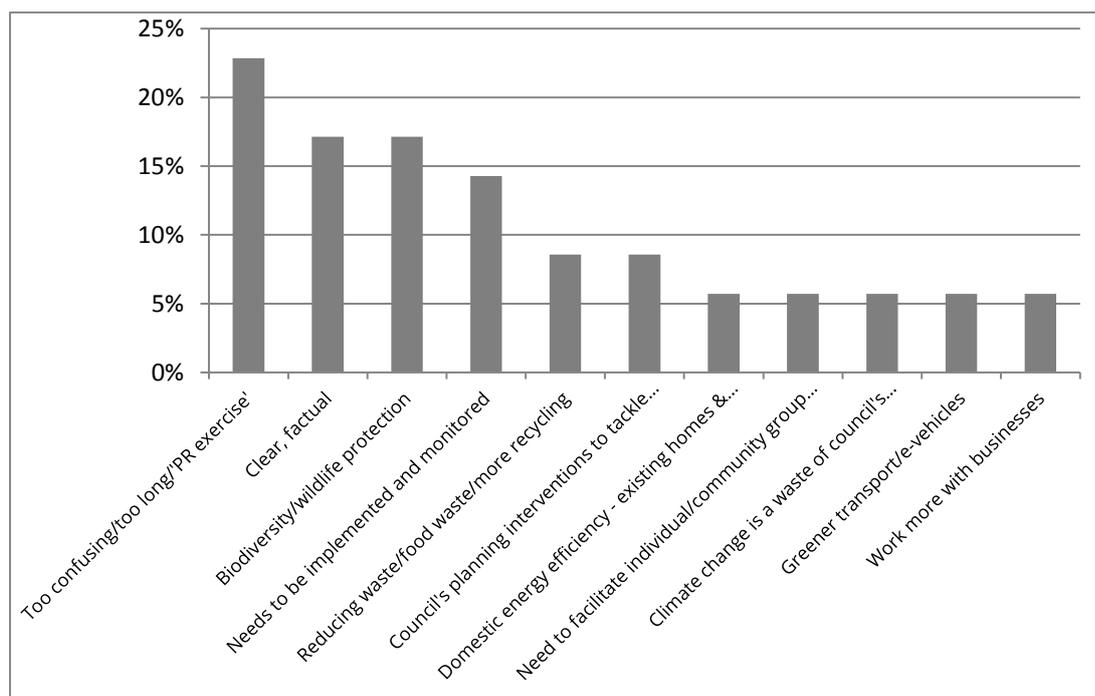
3.3 Figure 1 below shows that on balance, a small majority (51%) either agreed or strongly agreed that the Climate Change Strategy clearly sets out the council's approach to climate change.

**Figure 1: Do you agree or disagree that the strategy clearly sets out the council's approach to tackling climate change?**



3.4 The consultation went on to ask whether there were any ways in which we can make the strategy clearer. The results are presented in Figure 2 below.

**Figure 2: Are there any ways in which we can make the information in the strategy clearer?**



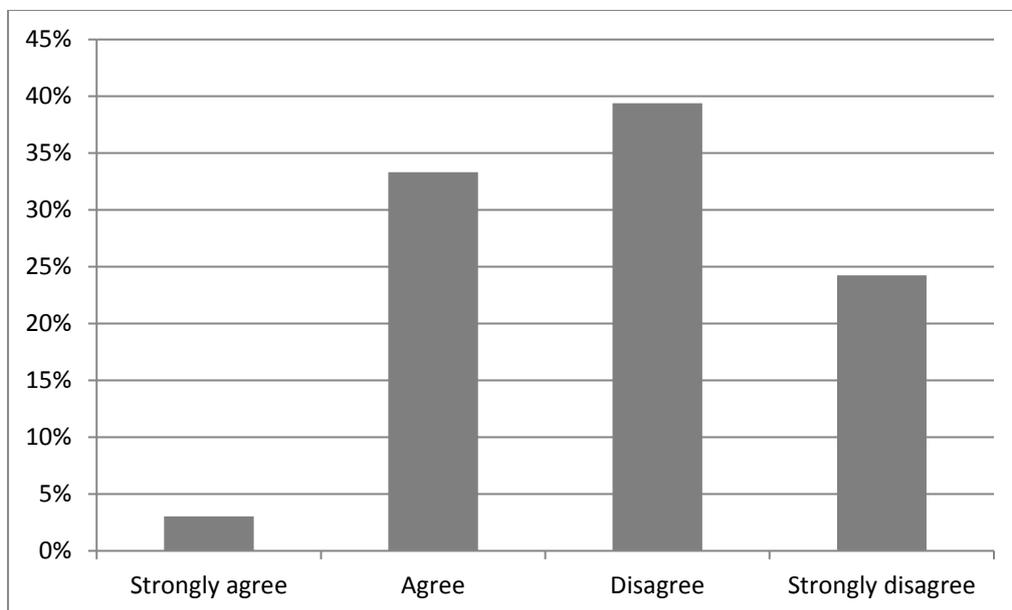
## Notes

The percentages in Figure 2 relate to comments made by at least two respondents. In addition, the following comments were also made by a single respondent in each case:

- carbon lifecycle costs/impacts
- what will delivery cost?
- more detailed carbon figure
- air quality
- sustainable farming
- water efficiency
- greener energy.

3.5 Figure 3 below shows that there was a fair degree of disagreement that the council has its over-arching priorities right.

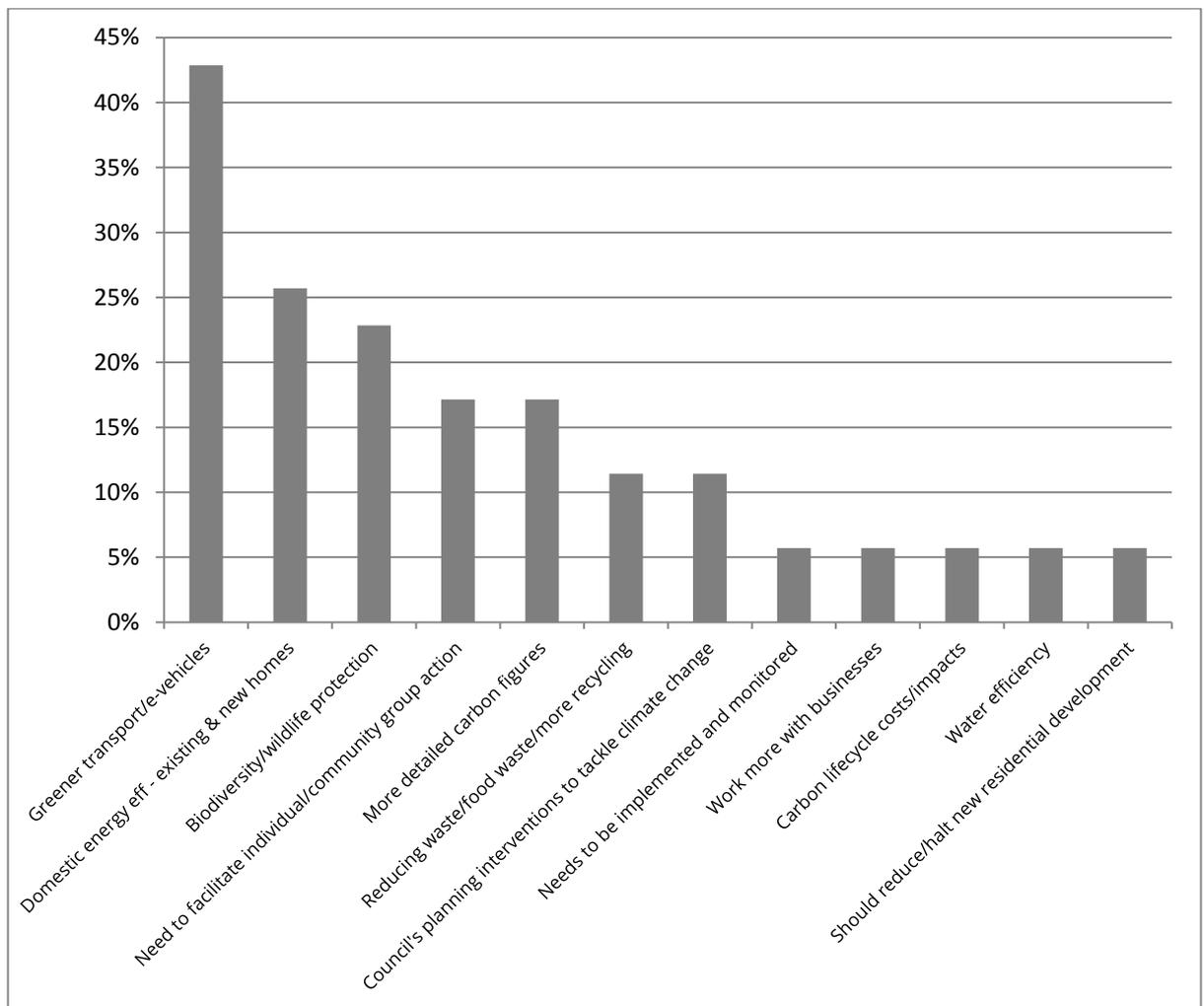
**Figure 3: How much do you agree or disagree that we have got the over-arching priorities right?**



3.6 The information in Figure 3 is perhaps open to interpretation. Of note, when the reasons given for disagreeing that the council has got the over-arching priorities right are looked at, it is apparent that

dissatisfaction is being driven by a desire to see specific interventions and priorities given greater emphasis rather than the council's overall approach being thought to be at fault. Figure 4 shows the issues respondents felt should be emphasised in the strategy.

**Figure 4: What else do you think our high-level Strategy could include?**



**Notes**

The percentages in Figure 4 relate to comments made by at least two respondents. In addition, the following comments were also made by a single respondent in each case:

- climate change is a waste of council's money/not necessary
- sustainable farming
- more needed on adaptation.

3.7 The council is very keen to consider and incorporate as much of the feedback as possible into a revised version of the strategy. Thus, in response to the above findings, the following amendments to the strategy are proposed.

<b>Key point raised during consultation re: making the Climate Change Strategy clearer</b>	<b>Resultant amendment to the Climate Change Strategy</b>
The strategy is too confusing/too long/just PR	<ul style="list-style-type: none"> <li>• Executive summary added to ease access</li> <li>• The glossary of terms has been moved to Appendix A</li> </ul>
Desire to see more emphasis on biodiversity, reducing waste, greener transport	<ul style="list-style-type: none"> <li>• New section adding demonstrating the council appreciates the areas of most interest to local people</li> <li>• More explanation added of the existing diagram which covers the multiple impacts on carbon reduction</li> <li>• We will consider incorporating the specific suggested actions raised within the Sustainability Action Plan</li> </ul>
The strategy needs to be implemented and monitored	<ul style="list-style-type: none"> <li>• Section 5 already covers this in some detail, however, a link to the council's Sustainability webpages has been added to more easily guide readers to the council's existing monitoring information</li> </ul>
Need to facilitate individual/community group action	<ul style="list-style-type: none"> <li>• The ability for residents and community group to influence the climate change agenda has been added to the governance diagram</li> </ul>
Need for more detailed carbon figures	<ul style="list-style-type: none"> <li>• Graphic added to show the sources of carbon across the district</li> </ul>

3.8 It is worth bearing in mind that the Climate Change Strategy is a *high-level* document indicating the direction

of travel regarding tackling climate change. It should be noted that the consultation feedback included, in many instances, specific, detailed suggestions which are better placed within the Sustainability Action Plan rather than the strategy. In fact, a significant number of suggested actions are already included in the action plan. That said, all suggestions raised during the consultation that are not already in the action plan will be considered by the Executive Member for Environmental Sustainability and the cross-service Sustainability Working Group for inclusion in the plan or extension to an existing action. Such suggestions include:

- participation in a solar bulk buy scheme – *note: since the consultation on the strategy, the council has signed up to a county-wide solar bulk buy scheme being managed by Dacorum Borough Council. The action plan could include targets relating to delivery*
- build sustainability requirements explicitly into the process for revising the District Plan
- devise specific ways to engage businesses in contributing to the council's aspiration for the whole district to become carbon neutral work with housing associations to improve the energy efficiency of the existing social housing in the district
- provide information and guidance for climate change community groups to maximise 'amplification' of the council's actions and messages
- draft a Local Cycling and Walking Infrastructure Plan – *note: since the consultation on the strategy, it has been*

*proposed that Hertfordshire County Council will lead on the scheme for East Herts, with the council's officers being actively engaged in the work and overseeing progress. The action plan could include targets relating to progress*

- promote anti-idling specifically among the council's contractors
- work more closely to promote messaging through schools.

### ***Consideration of matters raised by the Overview and Scrutiny Committee***

3.9 The Overview and Scrutiny Committee considered the strategy, as amended following consultation, at its meeting of 21<sup>st</sup> June 2022. Before approving the recommendation to endorse the strategy for presentation to the Executive, members of the committee raised several points which have been carefully considered by the Executive Member for Environmental Sustainability, in consultation with the Head of Housing and Health. The table in Appendix B summarises the points raised and the Executive Member's responses.

3.10 Specifically, as a result of the discussion at the Overview and Scrutiny Committee, the following amendments have been made to the latest draft of the strategy:

- more explicit mention of driving forward the climate change and sustainability agenda during revisions to the District Plan
- a clearer explanation that the council's emissions form only a very small part of the district-wide

emissions and so the strategy must be a 'call to arms' for everyone across East Herts

- a clearer explanation that pointing to the council's track record of making sustainable changes indicates its ability to deliver the strategy's aspirations.

3.11 In addition, as a result of the committee's comments, the Sustainability Action Plan will be amended to:

- give greater detail to the training of and advice to elected members
- include an action to further explore how the council could provide or promote a local e-car club.

## **4.0 Options**

- 4.1 Not produce a Climate Change Strategy – NOT RECOMMENDED. The proposed East Herts Climate Change Strategy 2022 – 2026 will provide a firm foundation for partnership working with residents and stakeholders.
- 4.2 Not make any amendments following the consultation and consideration by the Overview and Scrutiny Committee – NOT RECOMMENDED. Thirty-five respondents took considerable effort to read through the draft document and provide detailed, well-reasoned responses. In addition, members of the Overview and Scrutiny Committee provided valuable comments. Arguably, the strategy is strengthened by incorporating feedback.
- 4.3 Rewrite the Climate Change Strategy in a more fundamental way – NOT RECOMMENDED. Although there was a fair degree of dissatisfaction expressed with the

over-arching priorities during the consultation, this appears to be driven by respondents' strongly held desires to see more detail. Despite officers' attempts to stress the role of the council's Sustainability Action Plan in covering detailed interventions, it appears that a number of respondents have chosen, perhaps understandably, to use the consultation process to raise specific actions. Officers will consider all suggestions for inclusion in the Sustainability Action Plan and thus it would appear unnecessary and possibly counter-productive to seek to reformulate the strategy so that it simply reads as a variation of the Action Plan. In addition, the Overview and Scrutiny Committee endorsed the strategy.

- 4.4 Recommend the draft Climate Change Strategy to Council for approval – RECOMMENDED for the reasons laid out in this report.

## **5.0 Risks**

- 5.1 The proposed East Herts Climate Change Strategy 2022 – 2026 takes the form of information and guidance for residents and partners, rather than specific contractual obligations. Therefore, there is no risk associated with the production of this strategy.

## **6.0 Implications/Consultations**

- 6.1 The draft strategy has been produced following considerable consultation as detailed in this report.
- 6.3 To ensure that this strategy informs the work of the council and its partners, the detailed Sustainability Action Plans will continue to be kept under review and updated

on a monthly basis. All specific suggestions raised during the consultation will be reviewed for inclusion in the action plan.

### **Community Safety**

No implications.

### **Data Protection**

No implications.

### **Equalities**

The strategy has been drafted with reference to the council's obligations under the Equality Act 2010. It recognises that a number of people from protected groups are currently disproportionately impacted by climate change and so are likely to find delivery of the strategy particularly beneficial.

### **Environmental Sustainability**

The strategy seeks to make a fundamental change to environmental sustainability in the district.

### **Financial**

There is nothing in the strategy which obliges the council to expend revenue or capital resources. Any future proposals with financial implications for the council would be subject to member decision as part of the budget and Medium Term Financial Planning (MTFP) process at the time. Such expenditure would predominantly cover adaption of current assets and service delivery models.

Whether or not net zero targets are met the climate is in the process of change and there are increasing numbers of effects that will require the council to respond, such as:

- hotter and drier summers with temperatures above 25 degrees Celsius (C) occurring on average five days more than in 2019 which will impact service delivery for refuse and recycling and grounds maintenance services were operations will need to start earlier in the day to avoid high temperature after noon. This is likely to become the norm more often affecting traditional service delivery times. Our office building is currently difficult to ventilate and has no shading or cooling system consequently temperatures inside exceed 24C on a number of days each summer with consequent drops in productivity
- warmer and wetter winters with up to 22% more rainfall than today plus more extreme rainfall events will probably require adaption of properties in the flood plain to prevent damage. There are also likely to be service disruption due to flooding and more emergency plan responses required.

The recent announcement of an allocation of £1.77m from the government's Shared Prosperity Fund for expenditure in East Herts provides a potential source of new funding to further some of the aims of this strategy. Of particular note, climate change, the natural environment and community engagement are all named under the 'Communities and Place' theme of the funding programme with greenhouse gas reductions being listed in the government's documentation as an important potential indicator of the fund's impact.

### **Health and Safety**

No implications.

### **Human Resources**

No implications.

## **Human Rights**

No implications.

## **Legal**

Although there is no statutory obligation for local authorities to produce a climate change strategy, the information in the proposed strategy builds on information provided in other statutory documentation produced by the council, notably the District Plan and Sustainability Supplementary Planning Document.

## **Specific Wards**

No implications.

## **7.0 Background papers, appendices and other relevant material**

- 7.1 Appendix A – the draft East Herts Climate Change Strategy 2022 to 2026.
- 7.2 Appendix B – responses to comments raised by the Overview and Scrutiny Committee.

### **Contact Member**

Councillor Graham McAndrew

[graham.mcandrew@eastherts.gov.uk](mailto:graham.mcandrew@eastherts.gov.uk)

### **Contact Officer**

Jonathan Geall

Contact Tel. No. 01992 531594

[jonathan.geall@eastherts.gov.uk](mailto:jonathan.geall@eastherts.gov.uk)

### **Report Author**

Jonathan Geall

[jonathan.geall@eastherts.gov.uk](mailto:jonathan.geall@eastherts.gov.uk)



# East Herts Council

## Climate Change Strategy

### 2022 – 2026

*Latest version incorporating the outcome of the consultation and responses to comments raised at the Overview and Scrutiny Committee meeting on 21<sup>st</sup> June 2022*

Design of the document to be finalised following consideration by Council

Version: Draft at 01.07.22

DRAFT – Page 1 of 33 – DRAFT



**Cllr Graham McAndrew**

Executive Member for Environmental Sustainability  
East Herts Council

## Foreword

In July 2019, East Herts Council unanimously approved a Climate Change Declaration in recognition of the climate emergency we are all facing. This declaration commits the council to take action to address the causes and impacts of climate change across the district.

East Herts is a wonderful place to live, work and visit and so as a council we have put sustainability at the heart of everything we do.

At the same time, we recognise that it is vital that we build on our track record of engagement with our communities and partners to accelerate the work we have undertaken to date to reduce emissions and adapt to a changing climate.

There are steps that we can all take to make more sustainable choices. This strategy lays out how the council, residents, business and other partners can all pull together and help each other make significant and long lasting improvements to the sustainability of our precious environment. Please join us!

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## Executive summary

### The need for action

In July 2019, East Herts Council unanimously approved a Climate Change Declaration in recognition of the climate emergency we are all facing. This declaration committed the council to take action to address the causes and impacts of climate change across the district. This strategy lays out a route map for the council itself becoming carbon neutral by 2030 while at the same time working with residents, community groups and other public and private sector partners to encourage the whole district to become carbon neutral by the same date.

For the year 2020/21, the council's annual own net carbon emissions stood at 2,565 tonnes CO<sub>2e</sub>, while total district-wide net emissions stood at 630.5 kilo tonnes CO<sub>2e</sub>. Both figures are falling but there is clearly still much to do.

### The council's role

It would clearly be naïve to think East Herts Council can tackle climate change alone. There is much for the national government to do, both unilaterally and through international cooperation. Furthermore, we operate within a three tier model of local government composed of Hertfordshire County Council (HCC), East Herts Council and town councils and parish councils throughout the district. All have a role to play.

That said, we recognise the powerful influence of the council and our privileged position as a community leader and role model for good behaviours. Thus, this strategy lays out how we aim to make a real difference by:

- making changes to the council's own premises and the services we deliver
- using our regulatory powers to promote action by others
- influencing and encouraging others to do things.

### Becoming a carbon neutral council

To reach a carbon neutral position, we will:

- continue to develop a sustained approach to reducing our own carbon footprint over the lifetime of this strategy. We will *not* leave the majority of our reductions to the end of this time frame
- constantly review carbon reduction measures in light of competing service and financial demands
- look to *only* use offsetting to handle the impact of any residual emissions once it

has become clear that we've done all we possibly can to reduce emissions.

Here's our route map to carbon neutrality.

**2021 – 2022 – work in progress**

- Replacement of the council's fleet of diesel with e-vehicles
- Reduction in business mileage

**2023 – 2026 – planned actions**

- Energy efficiency works to upgrade the energy performance of the council's buildings
- Reduction in gas usage in our leisure buildings and services
- Ground maintenance contract redesign to move to e-vehicles and battery usage while looking to enhance land sequestration possibilities

**2027 – 2030 – actions to be assessed when the Climate Change Strategy is refreshed**

- Further reduction in business mileage
- Further energy efficiency works to upgrade the energy performance of the council's buildings
- Consideration of reduction of waste management's reliance on diesel-powered vehicles
- Offsetting of any remaining carbon usage

## Using our regulatory powers

The council's emissions form an integral part of the total emissions across the district. The fact that the council's own emissions only account for around 0.4% of all emissions underlines that the council must do more than just managing its own behaviour. The council must support everyone living in, working in or visiting East Herts to play their role in the collective effort to achieve carbon neutrality across the whole.

We will use our regulatory powers to promote action by others. This includes:

- our planning powers and duties regarding the development of new homes and commercial buildings as well as conversion or extension of existing buildings
- our duties regarding the licensing of the taxi trade, in particular the setting of standards for vehicles that are used as taxis in the district
- our environmental health powers regarding standards in the private housing sector.

## Involving and influencing everyone

A key strand of our efforts to reduce carbon emissions across East Herts is based on influencing, encouraging and making it as easy as possible for our residents and businesses to take action that will enhance sustainability.

We recognise that community groups are ideally placed to 'spread the word' and act as credible communicators throughout their networks. Over the lifetime of this strategy we anticipate new ideas and groups emerging and we see the East Herts Environmental and Climate Forum as the ideal way to marshal a joint effort across the district which is far greater than the sum of its parts.

## Monitoring progress

We are determined to make our efforts towards meeting the council's ambitious Climate Change Declaration aspirations as inclusive and transparent as possible.

Our Environmental Sustainability Action Plan is a living document which officers of the council review and update every month.

We recognise and do not seek to hide the fact that financing the delivery of this strategy will be a major challenge. Mitigating and adapting to the impacts of climate change will require far more resources than those held by the council. Thus, we will continue to explore and bid for different funding mechanisms, opportunities and investments to help support delivery of our Environmental Sustainability Action Plan.

We will keep our action plan under continuous review and publish progress updates on a monthly basis on the [Environmental Sustainability pages on our website](#).

## Terminology used in this strategy

We realise that not everyone will be familiar with the terms we have used in this strategy, so we have included a glossary at Appendix A.

# 1. The Case for Action

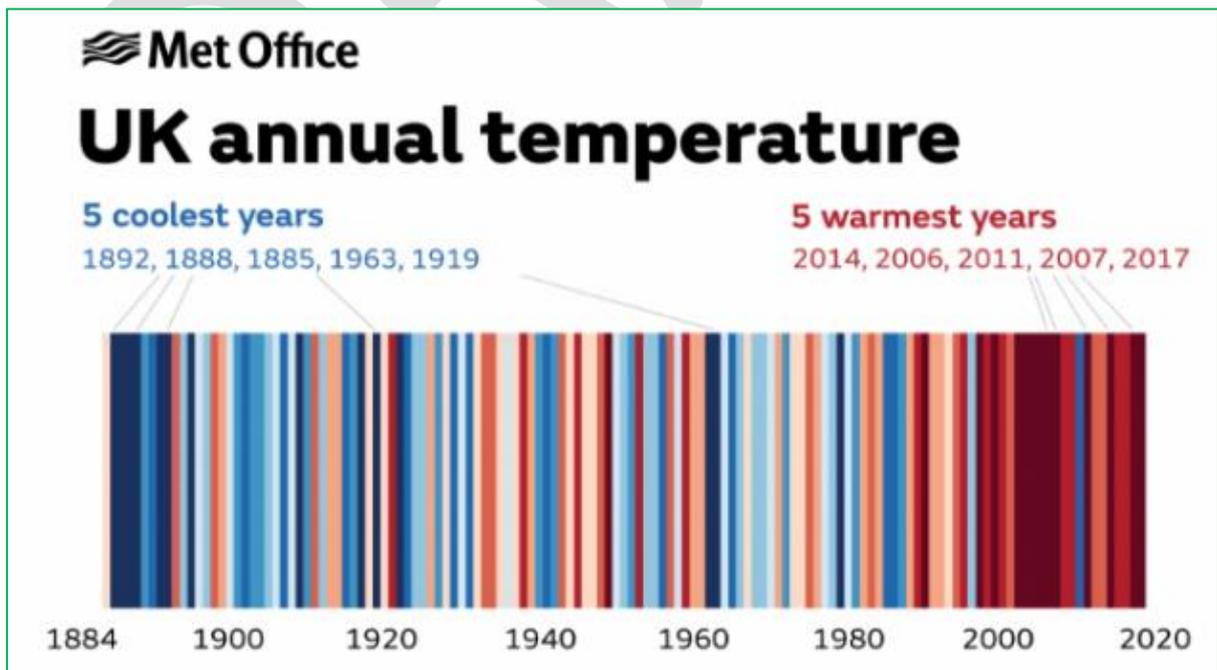
## 1.1 What is climate change?

***Climate change refers to a large-scale identifiable change in the planet's weather patterns that persists for an extended period, typically decades or longer***

The current period of warming of the world's climate is occurring more rapidly than in the past. Scientific evidence concludes that the natural fluctuation of temperature has been overtaken by a human-induced warming. This warming has principally arisen from burning fossil fuels since the start of the industrial revolution. These human induced changes have serious ongoing implications for the future stability of the planet.

The global increase in temperature of 0.85°C since 1880 is mirrored in the UK climate's higher temperatures. This in turn gives rise to more extreme weather events caused by the warming temperature. The Met Office has reported that the ten warmest years since 1884 have occurred since 2002.

Both extreme weather events and accelerating climate change will have wide-ranging implications that are already being felt world-wide and in the UK. In the UK we are expecting increasingly hot dry summers and warmer wetter winters, alongside more floods, storms and heat waves of greater severity and frequency. If the current rate of warming continues, the impact on biodiversity and human populations will be catastrophic.



## 1.2 International mandate for climate action

In 2015, at the COP21 meeting of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) in Paris, member states, including the UK, reached a historic agreement to strengthen the global response to climate change. This agreement included a landmark commitment to *“holding the increase in the global average temperature to well below 2°C above pre- industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre- industrial levels”*.

The latest COP26 meeting, held in Glasgow in 2021, brought together senior politicians, scientists, businesses and community groups from around the world and furthered the agenda. It would be fair to say that there have been mixed views about the outcome of COP26. The conference did, however, produce new “building blocks” to advance implementation of the Paris Agreement through actions that participants agreed can get the world onto a more sustainable, low-carbon pathway forward. The key headline was the agreement of a Glasgow Climate Pact including in the following:

- reaffirmation of the Paris Agreement goal of limiting the increase in the global average temperature to well below 2°C above pre-industrial levels and recognised that the impacts of climate change will be much lower at a temperature increase of 1.5°C compared with 2°C with the emergent Glasgow Climate Pact calling on countries to present stronger national action plans next year, instead of in 2025 as previously determined
- a phase-down of coal power and a phase-out of “inefficient” fossil fuel subsidies
- doubling of finance to support developing countries in adapting to the impacts of climate change and building resilience.
- clarification of the norms related to carbon markets for trading emissions reductions.

COP26 also led to a series of new deals and announcements outside of the Glasgow Climate Pact. These are as follows:

- 137 countries committed to halt and reverse forest loss and land degradation by 2030
- 103 countries, including 15 major emitters, signed up to limit methane emissions by 30 per cent by 2030 compared with 2020 levels
- over 30 countries, six major vehicle manufacturers and other partners, such as city authorities, set out their determination for all new car and van sales to be zero-emission vehicles by 2040 globally.

These pledges, if fully implemented, will reduce emissions by another 0.1°C below current estimates.

## 1.3 National mandate for climate action

The Climate Change Act 2008 provides the UK's long-term framework for tackling climate change. The Act aims to facilitate the UK's transition to a low-carbon economy by 2050. The Act was hugely important it requires that emissions of carbon dioxide and other greenhouse gases are reduced and that climate change risks are adapted to.

Subsequently in 2018, following the Paris Agreement, the UK became the first major country to assess how it will meet the terms of the agreement. After an original target to reduce its greenhouse gas emissions by 80% based on 1990 levels and transition to a low-carbon economy by 2050, in June 2019 Parliament passed legislation requiring the government to reduce the UK's net emissions of greenhouse gases by 100% relative to 1990 levels by 2050.

This target was adjusted on the recommendation of the UK Committee on Climate Change (CCC), following both the Paris Agreement and a report from the Intergovernmental Panel on Climate Change (IPCC) indicating an aspiration to limit warming to 1.5°C rather than 2°C. The CCC noted that the target is achievable with current technologies and improvements in people's lives but that it will require the introduction of more stable, challenging, and well-designed policies.

In April 2021, the Government further strengthened the UK's climate commitments setting in law the world's most ambitious climate change target, cutting emissions by 78% by 2035 compared to 1990 levels. This is aimed at bringing the UK more than three quarters of the way to net zero by 2050. Additionally, for the first time international aviation and shipping emissions were also included.

At the national level, since the Climate Change Act 2008, a number of initiatives have been introduced to help meet the Government's increasing targets, including:

- **The Carbon Plan 2011** – identifies the emission reductions needed in five key areas of the economy, buildings, transport, industry, electricity and agriculture to meet targets
- **The Clean Growth Strategy 2017** – outlines the plan to grow the national income while cutting greenhouse emissions
- **The 25 Year Environment Plan 2018**– sets comprehensive goals and targets to improve the UK's air and water quality and protect threatened plants, trees and wildlife species

- **The Resource and Waste Strategy 2018** – outlines the actions the UK will take to minimise waste, promote resource efficiency and move towards a circular economy
- **The Clean Air Strategy 2019** – demonstrates how the national government will tackle all sources of air pollution and boost the economy
- **Climate Emergency Motion 2019** – affirmed Parliament’s commitment to addressing Climate Change. While there is no single definition of a Climate Emergency, the general consensus is to work toward becoming carbon-neutral by 2030
- **The Heat and Buildings Strategy 2021** - sets out how the UK will decarbonise homes, and commercial, industrial and public sector buildings, as part of setting a path to net zero by 2050
- **The British Energy Security Strategy 2022** – sets out how Great Britain will accelerate homegrown power for greater energy independence and lower carbon future.

## 1.4 East Herts Council’s Climate Change Declaration

The issues caused by climate change will have a profound effect on our planet and the lives of everyone for centuries to come. That is why in July 2019 East Herts Council unanimously approved a Climate Change Declaration in recognition of the climate emergency we are all facing. This declaration committed the council to take action to address the causes and impacts of climate change across the district.

## East Herts Council's Climate Change Declaration

- 1) Join with other councils in recognising and declaring formally the necessity to do everything within the authority's power to reduce its impact on the climate and moreover everything we can in supporting the whole of East Herts District to become carbon neutral by 2030
- 2) Develop an ambitious sustainability strategy for reducing the council's own emissions, with an objective that the Council becomes carbon neutral by 2030
- 3) Work with national and regional partners to ensure that where at all possible we support climate friendly planning and building control regulations and seek where possible to include the very best measures into the Local Plan to minimise any negative impact on the environment
- 4) Call on National Government for more powers and resources to make this pledge possible, and ask the Council's Leader to write to the Secretary of state for Environment, Food and Rural Affairs to this effect
- 5) Continue to work with partners across the District, County and Region to deliver this new goal, through all relevant strategies and plans
- 6) Take account of climate impacts within existing decision-making processes
- 7) Set up an Environmental and Climate Forum, in line with the recommendations from the Task and Finish Group which were approved by this Council on 5th March, 2019
- 8) The Environmental and Climate Forum to monitor progress regularly and to report back
- 9) Commit to making available the appropriate training to members and officers to promote carbon neutral policies in order to achieve these aims

### [Our Declaration on Climate Change](#)

We, of course, have only limited powers, responsibilities, resources and finances. Many of the changes that will be required to achieve carbon neutrality and climate resilience must be the responsibility of others including public, private and third sectors and individuals. It is therefore important that this strategy and our accompanying Environmental Sustainability Action Plan are widely owned and delivered by residents, businesses and communities within the district and that it is evidence-based and built upon ground-up engagement with these groups. We will continue to work with the local community, partners and stakeholders in the district, across Hertfordshire and nationally to identify ways in which the council can work towards the goal of achieving a carbon neutral district.

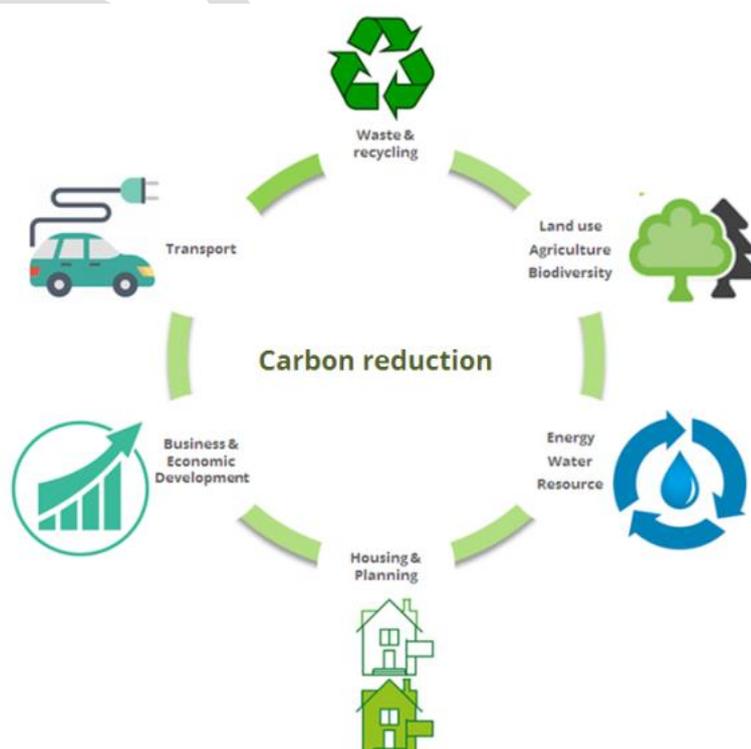
## 2. East Herts Council's approach to tackling climate change

### 2.1 The issues of most importance to our residents and partners

During consultation on preparation of this strategy, we canvassed the views of our residents and partners on sustainability priority areas of most importance to them. The following issues were mentioned most frequently:

- active, greener transport, including public transport, walking, cycling and promotion of low emission and e-vehicles
- domestic energy efficiency in both new and existing homes
- biodiversity and wildlife protection
- waste reduction and maximising recycling
- using planning policies to tackle climate change
- involving individuals and community groups.

These priorities accord with own understanding of the interconnectedness of the issues impacting carbon reduction and wider sustainability as illustrated in the following diagram. Through this strategy, we will strive to balance delivery of actions that address the issues of most importance to local people, those actions that are scientifically most impactful in relation to carbon reduction and value for money as well as address interrelated sustainability objectives such as biodiversity and air quality.



## 2.2 Working in a three tier local government environment

It would clearly be naïve to think East Herts Council can tackle climate change alone. There is much for the national government to do, both unilaterally and through international cooperation.

It should also be borne in mind that at the local level, East Herts Council operates within a three tier model of local government composed of Hertfordshire County Council (HCC), East Herts Council and town councils and parish councils throughout the district.

Within this structure, HCC are the lead authority for a number of functions crucial to fostering sustainability. These include highways, flood risk management and countryside management, as well as responsibility for key service areas including education, social care and children's services.

East Herts Council is responsible for other key functions which are likely to have a direct impact on sustainability, including planning policy and decision-making over the development of residential and commercial premises, waste collection, promoting and enforcing standards in existing housing and licensing taxi vehicles.

Town councils and parish councils are very near to their localities and in many cases directly manage community facilities such as community halls and allotments.

While the three tiers have different responsibilities and duties, it is clearly in all parties' interests to work together to achieve common goals and so, for example, we aim to dovetail our sustainability priorities with those in the county council's own [Sustainable Hertfordshire Strategy 2020](#) while also promoting sustainability issues through the regular Town and Parish Council conferences and meetings.

Both the council's and HCC's Climate Change Strategy focus on mitigation measures to reduce carbon emissions, as this is the key way to tackle global warming, as well as, increasingly focusing on adaptation.

Many sustainability issues are, however, inextricably linked to our strategies' goals. We know, for example, that high biodiversity levels can improve ecosystem reliability and increase the effectiveness of their functions, one of which is carbon capture. Recent research has shown that high levels of plant diversity can enhance storage of soil organic carbon.

In addition to mitigation measures we recognise the need to adapt to the ongoing effects of climate change. Even if all carbon emissions were to cease immediately, the global climate would continue to change for some time due to the current high levels of carbon already released into the atmosphere. Therefore, our approach needs to include a wide

range of adaptation measures to take account of changing climate related risks. Examples include strengthening the ability of the wider district and our local community to combat potentially more extreme weather events such as excessive heat, cold and storms. This *could* include enhanced policies relating to construction in flood prone areas as well as cross-integration between our environmental sustainability action plan and the council's emergency planning, public health and resilience services.

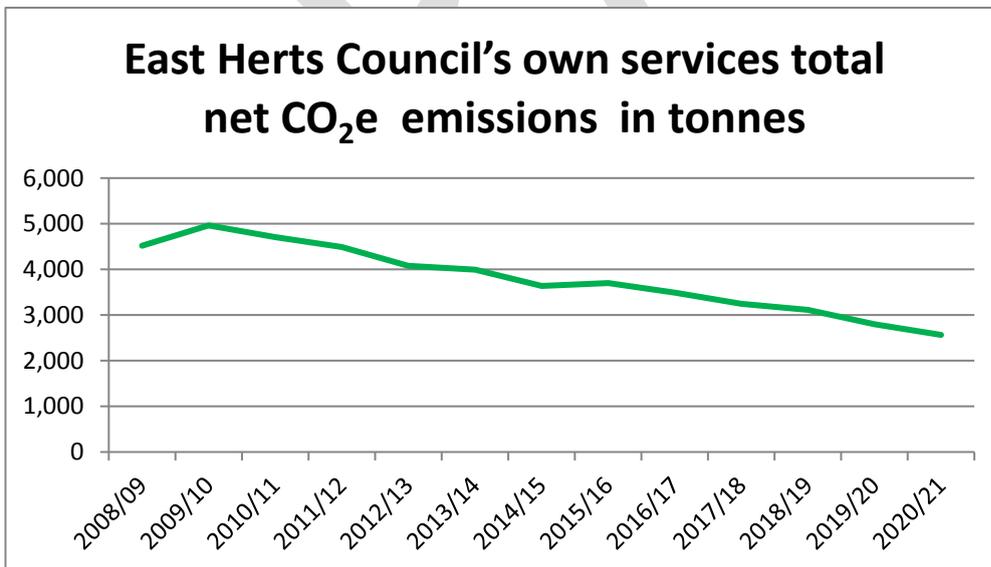
## 2.3 East Herts Council's approach

Maximising sustainability in all its forms has long been a corporate priority for East Herts Council. Our current corporate plan commits us to put *sustainability at the heart of everything we do*.

The council will continue to strive to:

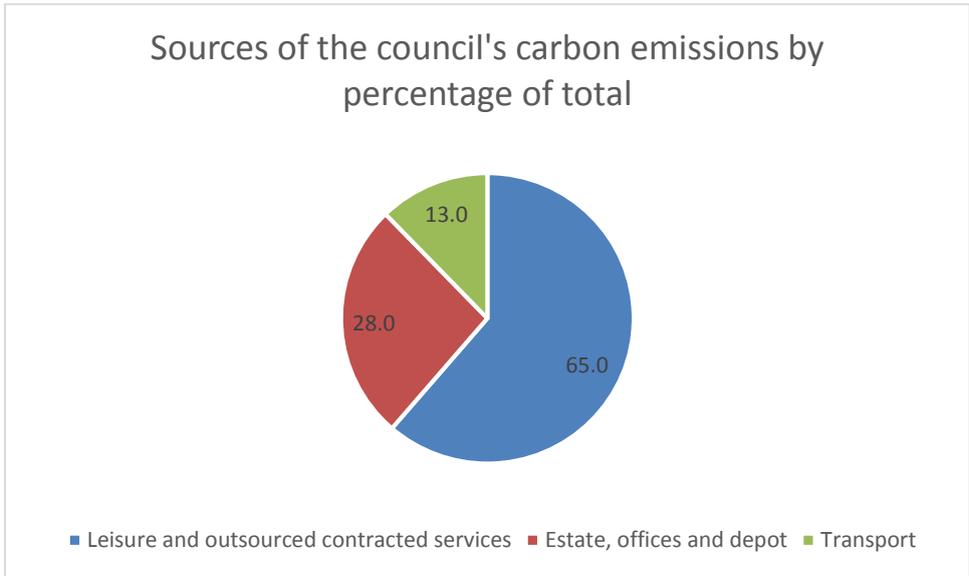
- provide a clean and safe environment
- facilitate new development which meets local needs while protecting the best of the district's natural and built environments
- take a responsible approach to waste and recycling
- promote green transport
- tackle environmental crime and reduction of air pollution.

Total net emissions of CO<sub>2</sub>e have been falling steadily across the district over the last fifteen years although there is clearly much progress still to be made.



Source: East Herts Council using Department for Business, Energy and Industrial Strategy national methodology

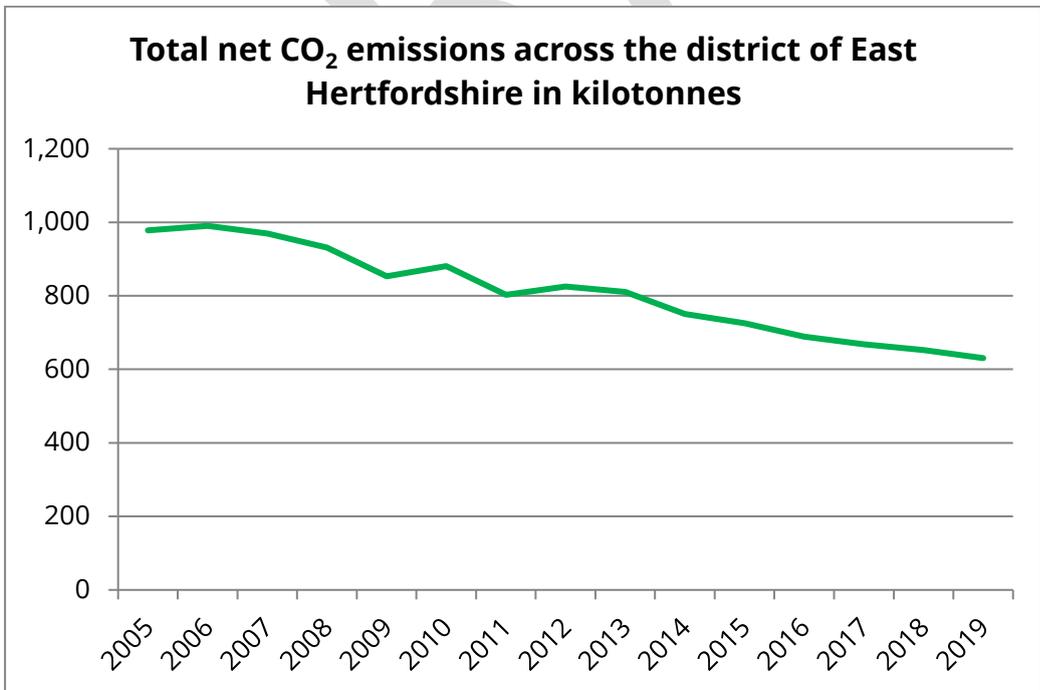
The sources of carbon emitted by the council, by percentage, are listed below.



Source: East Herts Council using Department for Business, Energy and Industrial Strategy national methodology

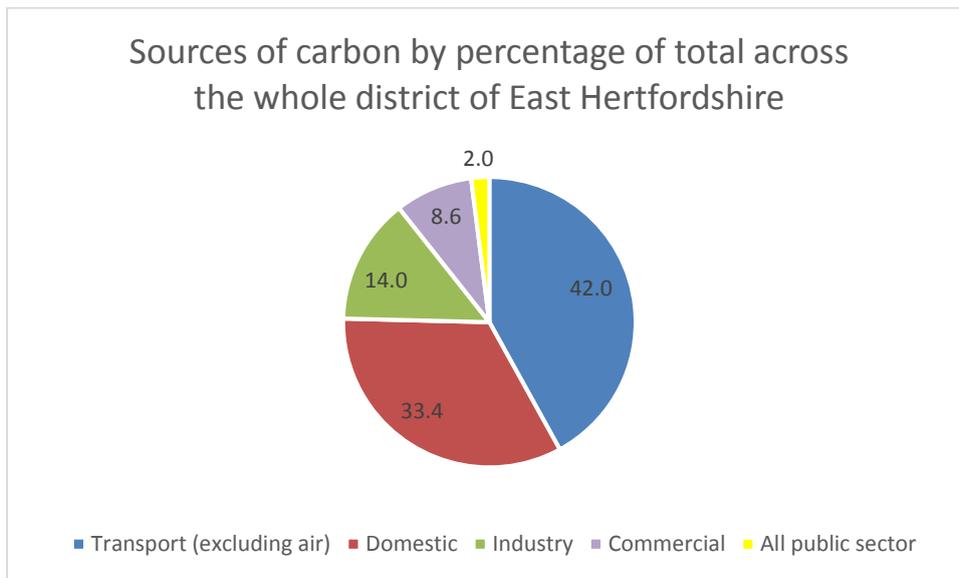
Over the last two decades the council has worked continuously to reduce our CO<sub>2</sub> emissions and improve energy efficiency. The council's success to date in reducing its own emissions is displayed in the graph.

When in July 2019 the Council unanimously passed a motion making a Climate Change Declaration, it pledged its commitment to do everything within its power to make East Hertfordshire carbon neutral by 2030.



Source: Department for Business, Energy and Industrial Strategy

The sources of carbon emitted across the whole district, by percentage, are listed below.

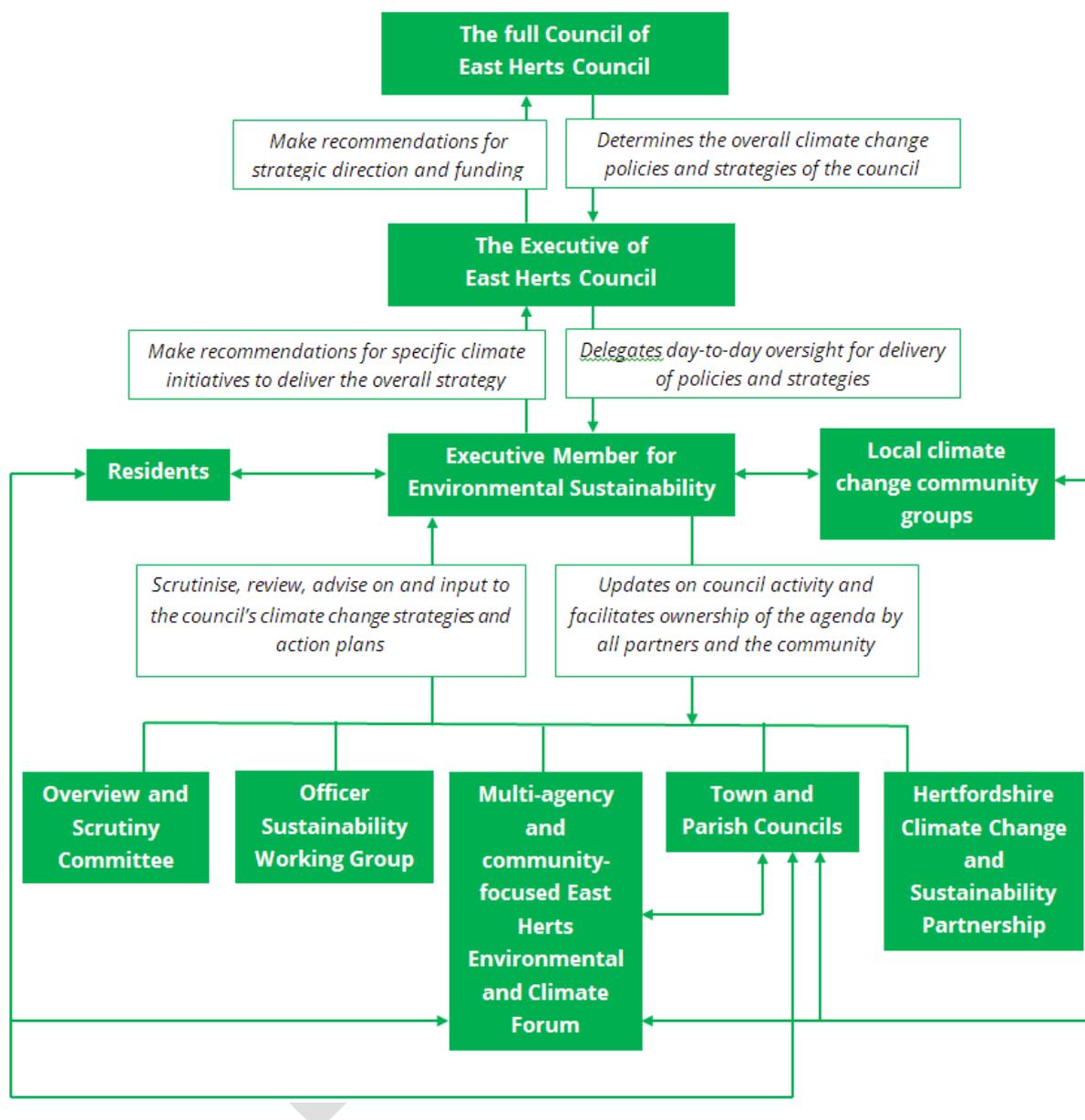


Source: Department for Business, Energy and Industrial Strategy

We are acutely aware that tackling climate change and improving sustainability requires action – now!

## 2.4 Governance of the climate change agenda in East Herts

The overall governance of this important agenda is as follows:



We now have the building blocks in place to make our aspirations a reality, including:

- climate change firmly within the remit of our Executive Member for Environmental Sustainability
- establishing a cross-service officer Sustainability Working Group which meets monthly
- drawing up a detailed Sustainability Action Plan which is kept under review and updated each month. It is also published on our website each month

- setting in place an East Herts Environmental and Climate Forum which brings together the council, other public sector partners, local community groups and residents to review sustainability work to date, share best practice and recommend future priorities. The group meets every two months, is open to all and is a key way of fostering community ownership of the climate change agenda
- being pro-active members of the Hertfordshire Climate Change and Sustainability Partnership, a grouping composed of all ten districts in Hertfordshire, the county council and the Hertfordshire Local Enterprise Partnership
- building and continuing to develop an informative sustainability website providing practical information to our residents, business and other partners along with clear details about how well our efforts are doing.

We have already forged new relationships with partners and will continue to expand on this. For example, we are in dialogue with the two members of parliament covering the vast majority of the district and are discussing rural issues with local farm owners, the Soil Association and the National Farmers' Union.

## 2.5 East Herts Council's role

We recognise the powerful influence of the council and our privileged position as a community leader and role model for behaviours to reduce carbon emissions and improve the sustainability of our overall environment. This strategy lays out how we aim to make a real difference by:

- making changes to the council's own premises and the services we deliver
- using our regulatory powers to promote action by others
- influencing and encouraging others to do things.

While achieving our aspirations will not be easy, we understand how crucial it is to tackle climate change to avoid an even greater impact on the lives of people across East Hertfordshire. So, we are in this for long haul.

We will deliver our strategy through:

- continuing to approach climate action in an inclusive, fair and effective manner
- forging cross sector partnerships wherever possible
- bidding for and assembling funding, investment and sponsorship opportunities with key suppliers, local authority partners and private enterprise
- celebrating successes along the route to carbon neutrality.

We will keep our action plan under continuous review and publish progress updates on a monthly basis on the [Environmental Sustainability pages on our website](#).

## 2.6 Our Environmental Sustainability Action Plan

This strategy provides an overview of our approach and lays out a pathway to achieving the commitments in our Climate Change Declaration. This is presented in Chapter 3.

The delivery of our ambitions depends on the setting, monitoring and continuous review of detailed targets. These are contained within our Environmental Sustainability Action Plan which is reviewed and updated on a monthly basis. It is shared with a wide range of partners, not least of which through the multi-stakeholder, community-focused East Herts Environmental and Climate Forum.

The carbon impacts of specific initiatives within the Environmental Sustainability Action Plan are quantified where applicable and whenever possible. This enables our partners as well as ourselves to keep a close eye on how well we are doing.

As we progress, we will deliver some actions and see the resulting carbon emissions reductions and co-benefits in relation to health and wellbeing, biodiversity, the local economy, society or education and skills of the population. Other actions will be modified in light of emerging evidence while completely new actions will be added as the situation, funding and pressures changes over time.

The council's corporate plan places *Sustainability at the Heart of Everything we Do* and while, of course, the council has to work with the resources available, our annual budget-setting process already seeks to align expenditure with this over-arching priority.

### 3. Turning Strategy into Action

Irrespective of intention, there are no results without action. This section explains how we have grouped together the full range of actions we are taking, and aim to take in coming years, under three main themes.

We have included details of successes to date throughout this section of the strategy so as to emphasise that we mean business and demonstrate that we can achieve our goals if we make sufficient plans.

#### 3.1 Making changes to the council's own premises and services we deliver

The council is on a journey to become carbon neutral by 2030.

In 2019, when the council made its Climate Change Declaration, the council's own CO<sub>2</sub>e stood at 2,800 tonnes.

Our approach to plotting our carbon footprint is based on government guidance<sup>1</sup>. This splits emissions generated by an organisation into three areas or 'scopes':

- scope 1 – direct carbon use. These are emissions given off by the direct combustion of fuel such as burning gas for heating ; petrol/diesel in transport fleets; industrial process emissions; and fugitive emissions from air conditioning and refrigeration
- scope 2 – indirect carbon use from energy. This relates to emissions arising from consumption of purchased electricity, heat, steam and cooling
- scope 3 – other indirect carbon use. This scope covers all other emissions including purchased materials; transport related activities by staff in their own vehicles; waste disposal; leased assets and franchising and outsourcing; sold goods and services.

Our measurements currently take in scope 1 and scope 2 in line with government guidance for local authority reporting although over time we are increasingly considering widening our scope 3 emissions reporting.

To reach a carbon neutral position, the council will:

- continue to develop a sustained approach to reducing its own carbon footprint over the lifetime of this strategy. We will *not* leave the majority of our reductions to the end of this time frame
- constantly review carbon reduction measures in light of competing service and

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<sup>1</sup> HM Government 2019, Environmental Reporting Guidelines: Including streamlined energy and carbon reporting guidance

- financial demands
- look to *only* use offsetting to handle the impact of any residual emissions once we've done all we possibly can to reduce emissions.

## We have a track record of success!

### Achievements to date

- Switched our electricity supply to a low carbon tariff
- Improved the energy efficiency of our existing building stock
- Trained our staff in sustainability, promoted less commuting and encouraged and enabled more sustainable travel
- Created a new website hub for sustainability, embraced behaviour change strategies and ramped up our sustainability campaigns and communication
- Created a 'living' Sustainability Action Plan and the framework for its continual evaluation
- Devised carbon assessment and tracking tools to assess all council projects

The pace of change and innovation in, for example, renewable energy, zero emission vehicles and sustainable heating systems is growing day-by-day and so it's impossible to predict every single measure we'll take to see the council itself achieve carbon neutrality by 2030. We can, however, identify the aspects of our services we need to review in the run up to 2030.

# We can do this!

## Our route map to the council becoming carbon neutral by 2030

### Route map to carbon neutrality of East Herts Council services

#### 2019 – Council makes Climate Change Declaration

- Aspiration to draw up a strategy to achieve carbon neutrality of council services by 2030

**Baseline emissions = 2,800tCO<sub>2</sub>e**

#### 2020 – Actions completed

- Installation of LED lighting throughout the council's buildings
- Switch to 100% carbon free electricity

**Emissions reduced to 92% of 2019 baseline**

#### 2021 – 2022 Actions in progress

- Replacement of the council's fleet of diesel vehicles with e-vehicles
- Service redesign to reduce business mileage

**Target to reduce emissions to 68% of 2019 baseline**

#### 2023 – 2026 Actions to be assessed

- Energy efficiency works to upgrade the energy performance of the council's buildings
- Reduction in gas usage in leisure buildings and services
- Ground maintenance contract redesign to move to e-vehicles and battery usage while looking to enhance land sequestration possibilities

**Target to reduce emissions to 37% of 2019 baseline**

#### 2027 – 2030 Actions to be assessed

- Further service redesign to reduce business mileage
- Further energy efficiency works to upgrade the energy performance of the council's buildings
- Consideration of reduction of waste management's reliance on diesel-powered vehicles
- Offsetting to any remaining carbon usage

**Target to achieve zero net carbon emissions = carbon neutrality**

## 3.2 Using our regulatory powers to promote action by others

We recognise that, as important as it is for the council to get its own house in order and, in doing so, demonstrate what can be done. The fact that the council's own emissions only account for around 0.4% of all emissions underlines that the council must do more than just managing its own behaviour. The council must support everyone living in, working in or visiting East Herts to play their role in the collective effort to achieve carbon neutrality across the whole.

The council has a number of ways that it can promote action by others. Not least of which is the use of our regulatory powers. This includes:

- our planning powers and duties regarding the development of new homes and commercial buildings as well as conversion or extension of existing buildings. Further strengthening our planning policies within the framework of national guidance is a crucial way in which we can increase district-wide sustainability and so we will use the Sustainability Action Plan to drive forward the climate change and sustainability agenda during revisions to the District Plan
- our duties regarding the licensing of the taxi trade, in particular the setting of standards for vehicles that are used as taxis in the district
- our environmental health powers regarding standards in the private housing sector.

We recognise that we are partners within a wider enterprise working towards enabling the whole district of East Hertfordshire to strive to become carbon neutral by 2030. To this end, we know we will need to continually strengthen our regulatory advice and requirements over the coming years.

Importantly, the council is committed to working across the public sector family in Hertfordshire. As proactive members of the Hertfordshire Climate Change and Sustainability Partnership (HCCSP) we are jointly developing and implementing a series of Strategic Action Plans on key sustainability issues. These Plans seek to combine the efforts, resources and impetus of all partners so as to maximise the likelihood of a step change across the county.

We will continue to incorporate countywide actions into the Environmental Sustainability Action Plan and it is important to recognise that the work of the HCCSP forms an intrinsic and important part of our approach to seeking to achieve carbon neutrality across the wider district.

## We have a track record of success!

### Achievements to date

- Published a comprehensive Sustainability Supplementary Planning Document that both advises developers on sustainable considerations and makes clear our expectations
- Surveyed locally active, national developers to better understand barriers to energy efficient/Passivhaus development
- Integrated sustainability into all planning considerations associated with the Harlow Gilston Garden Town
- Ensured sustainability is a consideration regarding the use of capital resources arising from planning agreements
- Developed a Housing Strategy for 2022-2026 encompassing social and private sector housing and all elements of energy efficiency and fuel poverty
- Introduced stricter emissions standards for District taxis and waived fees for e-taxis

## We can do this!

### Key changes to our regulatory tools to be delivered by 2026

- Fully update, adopt and implement planning policies forming the District Plan so as to further the sustainability of the district and help mitigate and adapt to the impacts of climate change. Align s106 contributions accordingly.
- Publish a Vehicle Parking in New Development Supplementary Planning Document.
- Publish a Biodiversity Supplementary Planning Document and leverage Biodiversity Net Gain legislation
- Continue to reduce emission regulations for locally licensed taxis, including incentivising low emission and e-taxis

### 3.3 Influencing and encouraging others to do things

Much research, and indeed our everyday experience, tells us that we often form opinions and make decisions based on the views and advice of our friends, family and neighbours. Therefore, there's much to be gained by the council investing its time and efforts in working with residents and community groups as they will then be able to 'amplify the message' among their networks and thus enact significant behaviour change.

A key strand of our efforts to reduce carbon emissions across East Herts is based on influencing, encouraging and making it as easy as possible for our residents and business to take action that will enhance sustainability.

Just as we work with public sector colleagues, we act collaboratively with community groups and individuals across the district. The East Herts Environmental and Climate Forum meets every two months to review our Sustainability Action Plan but also, crucially, to share knowledge, expertise and ideas. As a direct result of the Forum, we have developed closer working relationships with local climate and community groups and aim to continue to expand our work together to achieve ever more effective joint action.

Community groups are ideally placed to 'spread the word' and act as credible communicators throughout their networks. We are therefore keen to adopt a model whereby formal or informal agreements can be struck between the council and different groups so that both parties can pledge to take certain actions contingent on the other's involvement and commitment.

Over the lifetime of this strategy we anticipate new ideas and groups emerging and we see the East Herts Environmental and Climate Forum as the ideal way to marshal a joint effort across the district which is far greater than the sum of its parts.

We will draw on the excellent support available from the University of Hertfordshire, the Hertfordshire Local Enterprise Partnership (LEP) and the plethora of active climate change-focused community groups in the district to maximise our reach so as to effect significant and lasting behaviour change.

## *We have a track record of success!*

### **Achievements to date**

- Created an Action Plan and the framework for its continual public monitoring and evolution
- Set up a bi-monthly community Environmental and Climate Forum
- Provided grants, assistance and/or promotion for events associated with climate change awareness and action including webinars, e-v roadshows, festivals and environmental awareness film screenings
- Completed underpass upgrades in Hertford to encourage a switch to walking from car use
- Installed new racks for 80 bicycles in our market towns and secondary school settings
- Installed more than 60 e-chargers and 26 anti-idling signs in council car parks
- Planted over 350 trees in community projects associated with the Queen's Green Canopy scheme

## *We can do this!*

### **Key ways in which we wish to work with partners to nudge behaviour change over the period to 2026**

- Draw on the National Behavioural Insights Team to promote a simple model called EAST: Easy, Attractive, Social and Timely to help design effective behaviour change programmes
- Use apps and other social media to give residents the means to make informed choices about their own energy use and carbon footprints
- Work with partners to encourage greater uptake of low emission vehicles and install more e-chargers to further nudge the switch to e-vehicles
- Provide practical ways of encouraging sustainable options as the default position for residents and businesses notably with regard to greener travel, renewable energy, low carbon domestic heating and hot water
- Work with our farming community, which is developing environmental land management schemes, to support productive and sustainable food production
- Deliver the actions set for each district council in the HCCSP's Strategic Action Plans regarding the combining of efforts across the county to enable lasting behaviour change among residents and businesses

## 4. Working with all our communities to tackle climate change

The council has a duty to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

We believe that our Climate Change Strategy can and should act as a means of advancing the equality of opportunity in the district. At the same time, however, we recognise that some residents will find it easier to make sustainable choices and/or modify their behaviour than others with, among other things, health, income and family circumstances all having an impact. Furthermore, we are aware that some residents may unfortunately face discrimination because they are from a group with a protected characteristic along with other daily barriers which act against them taking the environmental action they might wish. For example this may be because of barriers to joining community groups, accessing information, arguing for tailored services and such like. We wish to do everything in our power to recognise, understand and tear down any such barriers for the simple reason that we need everyone in the district to pull together to tackle the threats caused by climate change and we see it as wholly unacceptable for anyone among us to feel their opportunities or actions are unduly curtailed.

To this end, we already:

- conduct detailed equalities impacts assessment on new policies and schemes across the council and work hard to mitigate any issues uncovered
- promote a range of grants and loans for those on limited means to fund insulation and other energy efficient improvements to their homes. Some groups with protected characteristics, such as disabled people or those of minority ethnic heritage, may be over-represented among our residents with lower incomes and thus such actions could enable them to participate more fully in the making sustainable choices.

## 4.1 The interaction of climate change, equalities and wellbeing

The national Climate Change Committee recently stated that global temperature increases of between 1.5°C and 2°C will affect the wellbeing of everyone and vulnerable people most of all<sup>2</sup>. Vulnerable people are also more likely to benefit disproportionately from co-benefits associated with a transition to net zero carbon emissions, such as reductions in air pollution<sup>3</sup>.

In addition, research by the Joseph Rowntree Foundation<sup>4</sup> found that the extent to which individuals are able to cope with the impacts of climate change is related to the interaction between personal factors, such as health and age, social factors, including income, and environmental factors, such as the quality of someone's home and local public realm.

The potential impacts of climate change on residents with protected characteristics as defined under the Equality Act 2010, along with mitigating actions, are described below.

Protected characteristic	Issues	The council's mitigation
<b>Age</b>	Older people potentially more to vulnerable to: <ul style="list-style-type: none"> <li>• heat waves</li> <li>• water shortages</li> <li>• extreme weather events due to a combination of age, health issues and greater social isolation</li> </ul>	Climate Change and Sustainability Partnership's (HCCSP) priorities for Water Sustainability embraced by the council  The council's Sustainability Supplementary Planning Document sets out guidance on how developers can build houses that minimise negative environmental impacts
<b>Disability</b>	Potentially more vulnerable to: <ul style="list-style-type: none"> <li>• heat waves</li> <li>• extreme weather events due to a combination of health issues and lower average incomes</li> </ul>	The council's Sustainability Supplementary Planning Document sets out guidance on how developers can build houses that minimise negative environmental impacts

<sup>2</sup> Climate Change Committee, 2020, Net Zero: The UK's contribution to stopping global warming page 31

<sup>3</sup> Climate Change Committee, 2020, Net Zero: The UK's contribution to stopping global warming page 218

<sup>4</sup> Joseph Rowntree Foundation, 2014, Climate Change and Social Justice: an Evidence Review

Protected characteristic	Issues	The council's mitigation
<b>Pregnancy and maternity</b>	<p>There are several potential differential impacts on pregnant women, including:</p> <ul style="list-style-type: none"> <li>• heatwaves and higher average temperatures could impact on pregnant women more than other residents</li> <li>• any increases in stress, anxiety or other mental health issues as a result of extreme weather events or other climate change impacts could have a greater impact on pregnant women</li> <li>• extreme weather events could create potential difficulties in accessing to hospital or health visitors</li> </ul>	<p>The council believes that actions to reduce energy costs, including grants and loans for works and information about sustainable options, can act to reduce anxiety about, notably, fuel costs which could have a particularly beneficial impact on pregnant women.</p> <p>The council's Sustainability Supplementary Planning Document sets out advice on how developers can build houses that minimise under/overheating</p>
<b>Race</b>	<p>In some instances, people of black or minority ethnic heritage can have lower incomes than the overall population and thus face particular barriers when seeking to make sustainable choices</p>	<p>The council promotes a range of grants and loans for lower income households wishing to insulate their homes and/or make other energy efficiency improvements. See below for the council's stance on Sharia-compliant loans.</p> <p>Information can be made available in other languages if/as required</p>
<b>Religion and belief</b>	<p>Potential impacts include:</p> <ul style="list-style-type: none"> <li>• water shortages may impact on washing after prayers for Muslim residents</li> <li>• any shortages of particular food items caused by global impacts of climate change on agriculture may lead to shortages of foods required to meet special dietary requirements for some religious groups</li> </ul>	<p>Climate Change and Sustainability Partnership's (HCCSP) priorities for Water Sustainability embraced by the council.</p> <p>The council works with the farming industry to maximise sustainable food production.</p> <p>We recognise the potential need for Sharia-complaint loan products so as to ensure all Muslim residents can access this financial support. We will provide such assistance as required</p>

Protected characteristic	Issues	The council's mitigation
<b>Sex</b>	National studies reveal that women tend to have lower incomes than men and lone parents are more likely to experience poverty than other household types (Joseph Rowntree Foundation (2020), 'UK Poverty 2019/20') with 90% of lone parents being women (ONS (2019), 'Families and Households')	The council makes available a range of grants and loans for lower income households wishing to insulate their homes and/or make other energy efficiency improvements. The Sustainability Action Plan and the council's Housing Strategy both prioritise the promotion of Passivhaus type homes which can dramatically reduce heating bills
<b>Sexual orientation</b> <b>Gender reassignment</b> <b>Marriage and civil partnership</b>	We do not anticipate specific differential impacts for people with these protected characteristics	

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## 5. Monitoring and reviewing our Environmental Sustainability Action Plan

We are determined to make our efforts towards meeting the council's ambitious Climate Change Declaration aspirations as inclusive and transparent as possible.

Our [Environmental Sustainability Action Plan](#) is a living document which officers of the council review and update every month.

Actions for inclusion in the plan are likely to arise from:

- East Herts Council's members' scrutiny of the plan and, from time-to-time, working groups on particular issues
- countywide priorities and actions stemming from the Hertfordshire Climate Change and Sustainability Partnership
- the East Herts Environmental and Climate Forum
- ad hoc groupings which the council convenes or participates in, such as the Rural Roundtable to consider sustainability issues as they pertain to the district's rural communities
- government guidance.

We recognise and do not seek to hide the fact that financing the delivery of this strategy will be a major challenge. As noted earlier in this strategy, the council has a head start regarding identifying council resources given that our annual budget-setting process already seeks to align expenditure with the council's climate change and sustainability priorities. That said, mitigating and adapting to the impacts of climate change will require far more resources than those held by the council. Thus, we will continue to explore and bid for different funding mechanisms, opportunities and investments to help support delivery of our Environmental Sustainability Action Plan.

We know we need to be brave and bold so as to demonstrate our genuine commitments. To this end, we welcome scrutiny of and feedback on our plans, proposals and performance. Actions will continue to be monitored by officers by reference to progress against delivery. Furthermore, we will continue to:

- share progress with the East Herts Environmental and Climate Forum
- publish detailed updates on progress on our website every month
- publish on our website an annual update to date of our progress towards the carbon neutrality of our own services
- invite scrutiny of progress by the council's Overview and Scrutiny Committee and other partners

In due course, we will work collaboratively to conduct a thorough review in the run up to drafting of our 2027 – 2030 to replace this strategy.

## 6. How to find out more about Sustainability in East Herts

There is a wealth of information on our website. Please click on the following links to find out more.

[Environmental Sustainability Action Plan](#)

[East Herts Environmental and Climate Forum](#)

[More information about sustainability in East Herts](#)

[Hertfordshire Climate Change and Sustainability Partnership](#)

[Hertfordshire County Council's Sustainable Hertfordshire Strategy 2020](#)

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## Appendix A: Terminology used in this strategy

We need to be clear about the terms that are used in this strategy.

**Adaptation** refers to actions which are necessary to deal with the impacts of climate change that cannot be mitigated.

**Carbon emissions** relates to various greenhouse gases in the atmosphere, principally carbon dioxide, which contribute to global warming and climate change. Greenhouse gases include methane, nitrous oxide and fluorinated-gases and taken together with carbon dioxide, CO<sub>2</sub>, are typically referred to as CO<sub>2</sub>e, meaning, the equivalent of carbon dioxide. Carbon dioxide emissions will be the major focus for our action due to their prevalence and the opportunities for reduction that exist.

**Carbon neutrality** means “achieving net zero carbon emissions by balancing a measured amount of carbon released with an equivalent amount sequestered or offset” (UN Environment, 2018).

**Climate resilience** means ensuring that our communities are adapted to cope with the projected impacts of global heating locally.

**Co-benefits** are secondary or ancillary benefits of an action that are also a relevant reason for that action in their own right. Many actions to mitigate and adapt to the climate emergency will have co-benefits such as improving health and wellbeing, improving air quality and building biodiversity.

**Mitigation** refers to actions which will lead to the avoidance or reduction of greenhouse gas emissions.

**Offsetting** is a way of compensating for emissions arising in one place by taking action elsewhere. For instance, it may not be possible, feasible or viable to actually reduce emissions from a particular source any further, so instead money would be diverted to deliver additionality in mitigation/sequestration projects elsewhere to make up for the emissions that will remain.

**Sequestration** is the process of capturing carbon dioxide from the atmosphere and the long-term storage of it in trees, plants, soils, geological formations and the ocean. Though it should be noted that increasing sequestration by oceans leads to harmful acidification.

## Appendix B: Response to comments from the Overview and Scrutiny Committee

Comment from the Overview and Scrutiny Committee	Reasons from the Committee	Comment by the Executive Member for Environmental Sustainability	Recommended Action
<p>Can there be a direct referral to the re-writing/refresh of the District Plan in 2023 and inclusion of the Sustainable Planning SPD into the district plan?</p>	<p>To demonstrate the importance of planning to the sustainability agenda.</p>	<p>This was already included, albeit a little obliquely, in draft strategy.</p>	<p>Replace the action to, by 2026:</p> <ul style="list-style-type: none"> <li>• <i>Adopt and implement planning policies in the District Plan that address sustainability and help mitigate and adapt to the impacts of climate change</i></li> </ul> <p>with</p> <ul style="list-style-type: none"> <li>• <i>Fully update, adopt and implement planning policies forming the District Plan so as to further the sustainability of the district and help mitigate and adapt to the impacts of climate change.</i></li> </ul> <p>When discussing the role of the council's regulatory planning powers, add the sentence:</p> <ul style="list-style-type: none"> <li>• <i>Further strengthening our planning policies within the framework of national guidance is a crucial way in which we can increase district-wide sustainability and so we will use the Sustainability Action Plan to drive forward the climate change and sustainability agenda during revisions to the District Plan.</i></li> </ul>

<p>Can the sentence which states that we only account for 0.4% of the carbon emissions across the district be removed?</p>	<p>This could be read as defeatist and a way of downplaying the council's role.</p>	<p>This figure has been included to make the point that tackling climate change goes far beyond what the council does about its own services.</p>	<p>Replace the text reading:</p> <ul style="list-style-type: none"> <li><i>The council's own emissions only account for around 0.4% of emissions across the whole district. Thus, everyone living in, working in or visiting East Herts has an important role to play in helping as part of a collective effort to achieve carbon neutrality across the district as a whole</i></li> </ul> <p>with</p> <ul style="list-style-type: none"> <li><i>The council's emissions form an integral part of the total emissions across the district. The fact that the council's own emissions only account for around 0.4% of all emissions underlines that the council must do more than just managing its own behaviour. The council must support everyone living in, working in or visiting East Herts to play their role in the collective effort to achieve carbon neutrality across the whole.</i></li> </ul>
<p>Why do we need boxes stating what we have achieved?</p>	<p>This has no bearing on what we plan to do in the future.</p>	<p>We have included the 'We have a track record of success!' boxes in an attempt to demonstrate that when we set ourselves goals, we achieve them. We have seen that other authorities' strategies are very aspirational without indicating that the council has any history of achievement.</p>	<p>It would be helpful to make the reason for including the boxes clearer and so the following sentence has been added at the beginning of section 3:</p> <ul style="list-style-type: none"> <li><i>We have included details of successes to date throughout this section of the strategy so as to emphasise that we mean business and demonstrate that we can achieve our goals if we make sufficient plans.</i></li> </ul>

<p>Have we looked at other similar district councils' climate strategies when developing ours and if so how does our strategy compare to theirs?</p>	<p>To ensure we are following best practice.</p>	<p>Officers reviewed other Hertfordshire districts' strategies, notably North Herts' and Broxbourne's and looked further afield, including accessing the strategies of districts which were rated highly in the Climate Coalition's recent review, such as East Devon's strategy.</p> <p>Unlike other strategies, East Herts' strategy:</p> <ul style="list-style-type: none"> <li>• sets out a route map for the actions the council will need to consider year-by-year to become carbon neutral by 2030</li> <li>• is explicit about the co-benefits for residents' health of tackling climate change</li> <li>• makes clear how residents and partners can feed into the governance of the sustainability agenda.</li> </ul>	<p>No amendments to the strategy proposed</p>
<p>Can we incorporate advice and schemes for councillors into the strategy, to help reduce our contributions to emissions?</p>	<p>To maximise impact of the strategy.</p>	<p>Providing training to members is already included in our Sustainability Action Plan. We can add the timescale for this, and the key points for the training to cover, to the Action Plan.</p>	<p>Sustainability Action Plan to be amended</p>

<p>The responses to the consultation suggest that the strategy is perceived as a mere PR exercise. What is underpinning this?</p>	<p>To maximise impact of the strategy.</p>	<p>Only one of the 35 respondents made a specific comment that the Climate Change Strategy appeared to be a PR exercise, this being, in their opinion, an attempt to mask inaction on protecting trees and wildlife in the Lee Valley Authority area.</p> <p>In addition, two respondents mentioned the term 'green washing', with both particularly keen to see action to take cars off the road.</p>	<p>No amendments to the strategy proposed</p>
<p>Is there any plan to replace the EV Car Club and if so, can this be written into the strategy?</p>	<p>To maximise impact of the strategy.</p>	<p>The council is in the process of replacing its diesel vans with e-vehicles. These will operate as a e-car pool within the council. The opportunity to open up use of the vehicles as a public e-car club will be considered as part of the Sustainability Action Plan.</p>	<p>Sustainability Action Plan to be amended</p>
<p>Should emphasise what others, rather than just the council, can do.</p>	<p>To demonstrate the importance of joined up action to the sustainability agenda.</p>	<p>The strategy already includes a considerable level of detail about how the council can influence others. The strategy also includes a governance diagram showing how residents and community groups can input.</p>	<p>No amendments to the strategy proposed</p>

## East Herts Council Report

### Executive

**Date of meeting:** 12<sup>th</sup> July 2022

**Report by:** Councillor Geoffrey Williamson – Executive Member for Financial Sustainability

**Report title:** Castle Park Improvement Project –match funding contribution via proposed sale of community centre/s

**Ward(s) affected:** Bishop's Stortford Wards

### Summary

The Castle Park project within the Council's capital programme seeks to make improvements to the areas known as Sworder's Field and Waytemore Castle Gardens. The partnership work with stakeholders including Bishop's Stortford Council and the National Lottery Heritage Fund (NLHF) means that the project has been funded through a variety of organisations including East Herts District Council. Following the Pandemic and Brexit there has been a significant increase in materials and construction costs resulting in tenders for the implementation phase of this project requiring additional funding should it proceed. A proposed solution to securing the funding gap has been to sell some assets (Community centres) to one of the partner organisations, Bishop's Stortford Town Council. The purchase of these centres does however come with conditions which are highlighted within this report.

## **RECOMMENDATIONS FOR EXECUTIVE:**

- a) Approval of the sale of Bishop's Park community centre to Bishop's Stortford Town Council
- b) That the capital receipt from the sale of Bishop's Park community centre (£160,000) contributes to the funding gap for the Castle Park project
- c) Approval for an option agreement on St Michael's Mead community centre and Havers community centre
- d) Approval that a £30,000 reduction for liabilities of over years is deducted from the final sale price of all three centres.
- e) That an options sum of £15,000 is required from BSTC to secure the option agreement which will be used to secure the project funding gap and to compensate EHC should the sale of the remaining two centres not proceed.

### **Proposal(s)**

- 1.1 That Bishop's Park community centre is sold to Bishop's Stortford Town Council for £160,000.
- 1.2 An options agreement is put in place for St Michael's Mead community centre and Havers community centre for the value of £240,000 (£30,000 deduction in liabilities included).
- 1.3 The option sum of £15,000 is deducted from the sale of the remaining two centres at time of purchase.
- 1.4 That a deposit is required once BSTC trigger the purchase of the remaining two centres via the options agreement, to secure the sale.

- 1.5 Commit £160,000 from the capital receipts (sale of Bishop's Park community centre) including £15,000 of the option agreement sum to cover the immediate funding gap of the Castle Park Project within the Council's capital programme.
- 1.6 Grant a new longer lease on the Markwell Pavilion.
- 1.7 Grant a new lease on terms to be negotiated to the Town Council of the former toilet block due for conversion to a café.

## **2.0 Background**

- 2.1 A bid to National Lottery Heritage Fund (NLHF) successfully secured a grant in 2016 of £1.94m (73% of the total estimated project cost of £2,667,800.00) to transform Castle Park in Bishop's Stortford. A wide range of improvements developed in partnership with Bishop's Stortford Town Council (BSTC) are set to combine two existing open spaces into one destination park to serve the town.
- 2.2 This included a contribution of £23,918 in 2017/18 to match fund the first NLHF grant payment of £214,700. That stage 1 development phase allowed the Council to develop plans for the project, engaging designers, consulting with the public and preparing detailed costs for the works.
- 2.3 Work proceeded to tender and choose appropriate designs for the various works involving stakeholder consultations. Planning permission was sought and approved in 2019/20.

2.4 The first round of tenders assessed in September 2021 for the main works resulted in much higher prices than estimated and insufficient bids to move forward with some of the lots.

- Lot 1 (Building Refurbishment) received only 2 tenders, the lowest of which was 50% over budget
- Lot 2 (Bridge Construction, Demolition and Riverbank Profiling) received only 1 tender which was 140% over budget
- Lot 3 (Hard Landscaping Works) received only one tender which was 80% over budget
- Lot 4 (Soft Landscaping Works) received no tenders

2.5 These results were due to inflationary pressures brought about during the covid pandemic and changes in European trade. There had been problems with the supply of goods and labour. From other Council tenders it is evident that steel costs had doubled since estimates in October 2020 and timber elements increased substantially.

2.6 The second round of tendering in December 2021 attracted a lot more bidders providing a reasonable spread on all lots putting the project team in a better position to be able to deliver all works. The best value price however after discarding low quality bids, remains over budget.

2.7 The initial price gap after the second tenders was £1.53mil. A series of value engineering exercises informed by the leading bidders and scrutinised closely by both partners has found

savings by changing some of the design and compromising on some materials which reduced this figure to £1,126,453.

- 2.8 Further income has been identified during the tender value engineering process: £50,000 from Brazier Trust and £127,400 from Section 106 Sworder's Field. In addition, NLHF have offered a top up grant of £600,000 but require a further match funding grant to secure this. The remainder to find is now £350,000 of which BSTC will provide £175,000 leaving EHDC to find the last £175,000.
- 2.9 The project is at risk unless the Council are able to make up a match funding contribution.
- 2.10 Given the Council's large capital expenditure on projects it is not possible to seek further borrowing to fund the gap.
- 2.11 Following a number of discussions and negotiations BSTC put forward a proposal to achieve the funding gap.
- 2.12 The offer is to purchase Bishop's Park community centre at £160,000 with an option to buy a further two; St Michael's Mead community centre and Havers Lane community centre within 12months of practical completion of the Castle Park project. The project is estimated to complete in 18months from commencement (May 2022). The Lottery Grant expiry date has been extended to 31 December 2023.
- 2.13 The mechanism to process this would be to agree an Options Agreement. Upon agreeing the Option Agreement, Bishop's Stortford Town Council would need to pay a non-refundable

option sum, this is not a deposit, the option sum is to, in effect, compensate Council for not being able to otherwise sell the assets during that period. The options sum would be £15,000 which would make up the initial capital receipt to the £175,000 target.

- 2.14 A non-refundable deposit will also be required from BSTC prior to sale of the remaining two centres once (and if) they trigger that process. The deposit would be deducted from the overall price of the remaining two community centres.
- 2.15 Cash received for any such sale is a capital receipt which can only be used to fund capital expenditure or repay debt.
- 2.16 An Option Agreement would oblige EHDC to sell the property to BSTC, which may be exercisable by BSTC at any time during the option period or on the occurrence of certain events. The decision whether to exercise the option would rest with BSTC.
- 2.17 Both parties would need to enter into an Option Agreement and on payment of the option sum; BSTC would have the right to exercise the option to buy the property. BSTC would have to serve an Option Notice and pay the deposit, which would result in a binding contract for the sale and purchase on the terms as set out in the option agreement. If BSTC fail to do this within the requisite time (12months following practical completion of the Castle Park project), then EHDC could dispose of the property free from the option.
- 2.18 Once completed the decision to exercise the option will rest with BSTC and not EHDC.

- 2.19 EHDC would draft the agreement and seek to recover 50% of legal costs from the Town Council.
- 2.20 The Asset Management Manager has been in discussion with the Town Council in recent years regarding the sale of these 3 community centres. They were valued by external valuers in 2020 ("red book" valuation). The total valuation for the 3 – Bishop's Park (£160,000), St Michaels Mead (£170,000) and Havers (£100,000) came to £430,000. These 3 community centres are all currently leased to the Town Council who directly manage the hiring. This Council receives no income from them and still retains some liability for repair and maintenance. The liabilities of all 3 centres have been valued at £10,000 per annum and this would be applied to cover 3yrs worth of liabilities reducing the purchase price to £400,000 for all 3 centres. The valuation report was carried out in accordance with the terms and definitions set out in the Royal Institution of Chartered Surveyors (RICS) guidance for another Council project (Old River Lane) in April 2020. The valuer was a RICS Registered Valuer with suitable qualifications and experience for the purposes of the valuation and the basis of valuation was Existing Use Value as defined within UK VPGA 6 of the RICS Professional Standards Valuation Standards (Incorporating the International Valuation Standards) 2017.
- 2.21 Subsequently it was decided that the centres would not form part of negotiations of the ORL project, so the sales did not proceed although both the District and Town Councils expressed a desire to still proceed with the sales when possible. When a shortfall in the capital needed for the Castle

Park project was identified earlier this year it was suggested that part of the receipt from the sales of the 3 centres could be used to fund this shortfall.

2.22 Given the time that had elapsed since the 2020 valuation was undertaken officers discussed the need for a new external valuation. The Council's Valuer reviewed the valuation internally and concluded that the values of the centres had not materially changed in the subsequent 2 years.

2.23 All 3 centres are let on protected tenancies at peppercorn rents so the Council receives no income but still incurs some financial costs for repairs and management. The scope for securing a future letting at a rent is limited given that the use is restricted to community activities only and there is no active market in the private sector for community centres.

2.24 It has been agreed with the Town Council that the sale of all 3 centres will contain a restricted covenant restricting the use of the buildings to community activities only in line with the current user clause in the leases. If, at a future date, the owner of the buildings wants to change the use of the building they will need to apply to the Council to release the covenant and if approved this would be subject to a consideration payment reflecting any resulting uplift in value. In addition to this any change in use would also require planning consent which is unlikely to be forthcoming particularly given that 2 of these centres were transferred to the Council as part of a Section 106 agreement. Advice from planning officers has stated that in line with Policy CFLR8 of the District Plan - Loss of Community

Facilities any application for change of use would be refused unless it could be demonstrated the existing facility was no longer required; the need for an alternative community use in this location outweighs the need for the current use or that adequate alternative provision was to be provided elsewhere.

2.25 As the final sale of the second and third centres might proceed after some considerable time (up to 2.5 years), the Council may need to revalue these properties to determine whether there has been any significant increase or decrease. This would be carried internally by a suitably qualified officer. BSTC may also wish to carry out their own independent valuation at this point.

2.26 On the basis of the current valuation, the following payments are proposed:

<b>Transactions</b>	<b>Value</b>
BSTC Purchase of Bishop's Park community centre	£160,000
Non-refundable options agreement sum	£15,000
Value of St Michael's Mead community centre (£170,000) and Havers (£100,000)	£270,000
Liabilities deducted	-£30,000
Options Sum deducted	-£15,000
<b>Total capital receipt for EHDC</b>	<b>£400,000</b>

2.27 The Town council have also expressed an interest in land upon which the Markwell Pavilion is situated. The centre is already owned by the Town Council but the land on which it is sited is leased from EHDC on a 50 year agreement from 1993. It is not

recommended a freehold sale of the land should take place because of the Council's wider ownership and however, EHDC can grant a new longer lease of the land which would give the building a higher asset value for the Town Council. This principle has been accepted by the Town Council.

2.28 There are plans for the former toilet block located on the edge of Castle Park to be converted into a café/community room which will be operated by the Town Council. Officers are in discussion with them to agree terms for a lease with the Council either receiving a rent or taking a share of the net revenue.

2.29 The free hold sale of St Michaels Mead community centre would include the surrounding green space land which is part of the title and Bishop's Park community centre would include the flat above.

### **3.0 Reason(s)**

3.1 Bishop's Stortford is undergoing rapid change and the castle park project aims to provide a destination park to meet the needs of an expanding population.

3.2 The sale of the community centres will allow EHDC to meet the funding gap of the castle park project, offset borrowing costs and remove the liabilities of 3 community centres from the Council.

### **4.0 Options**

The Council should consider alternative options:

### *Option 1*

- 4.1 **NOT RECOMMENDED** – Transfer three of the centres for 400,000 (allowing for savings from associated maintenance costs) and grant a new longer lease on the Markwell Pavilion including the new studio space (the old toilet block).
- 4.2 Commit £175,000 from the capital receipts to cover the immediate funding gap and accept the Town Council condition requiring Council to reserve the remaining capital receipts to cover unforeseen spending on the project until its completion.

### *Option 2*

- 4.3 **NOT RECOMMENDED** - Fund the £175,000 lottery match funding contribution from capital contingency. The Council cannot fund further capital projects that do not provide a financial return on investment.

### *Option 3*

- 4.4 **NOT RECOMMENDED** - Decline to make any financial partnership contribution to fund the spending gap and close the Castle Park project. *This option is likely to lead to reputational damage for the Council as well as abortive cost of the project.*

## **5.0 Risks**

There is a risk that the Town Council does not purchase the two remaining community centres. The Options sum provides compensation to the Council should this occur.

## **6.0 Implications/Consultations**

### **Community Safety**

N/A

### **Data Protection**

N/A

### **Equalities**

N/A

### **Environmental Sustainability**

N/A

### **Financial**

The cost increases for the Castle Park Project have also impacted elsewhere on the capital programme and remain a risk for the delivery of the Old River Lane regeneration scheme. The council needs to retain the very limited borrowing headroom left to fund potential scheme cost increases at Old River Lane plus a contingency for unforeseen, urgent capital expenditure. As the Transforming East Herts Programme investment is to be funded from earmarked reserves and Hertford theatre cost increases have been funded from those reserves there is no possibility of funding Castle Park through borrowing or through the use of earmarked reserves. As there is little possibility of generating in-year savings on the parks budget of the amount of the required increase to the capital scheme the only other alternative funding source remaining for this capital expenditure is capital receipts.

The capital programme funding in the Medium Term Financial Plan includes capital receipts from specific asset sales and also the expected but dwindling receipts from retained right to buy sales

from the transferred housing stock (tenants on the date of transfer retained the right to buy their property under the same terms as if the council had not transferred the housing stock). In order to generate capital receipts to fund the increased cost on Castle Park, new sales were required. The sale of the 3 Community Centres had been the subject of discussions over a period of time and the sales do not affect our wider land holdings in the area. The Markwell Pavilion is not recommended for sale as it would produce an area belonging to BSTC in the middle of the holding with rights of access over the remaining land holding which would fetter our ability to make best use of the asset in the future.

The proceeds of the sale of the community centres are capital receipts and as such may only be used to fund capital expenditure or to repay borrowing. The capital receipt will avoid increased borrowing costs of £13,883 per year for the next 30 years which would have been added to the £1.6 million additional savings the council needs to identify to balance the budget over the medium term.

The sale of the centres would remove the remaining repair liability on the council and should result in an on-going revenue saving of £10k per year.

As the sale option avoids costs and generates a revenue saving it is the only option available to deliver the project. There is a risk that further cost pressures may arise during the project and these will have to be met by: value engineering; changes in scope acceptable to partners and the Heritage Lottery Fund; new sources in-year of income; and/or savings from within the council's revenue budget.

### **Health and Safety**

N/A

## **Human Resources**

The Council employ a Community Engagement Officer on a fixed term contract funded by the Lottery grant. There is sufficient budget allowance to cover this post should the application for a further grant and project extension be awarded. The fixed term contract would be continued for 18 months to support the ongoing project.

## **Human Rights**

N/A

## **Legal**

Legally enforceable options agreements will be prepared and executed to ensure that the proposed way forward is properly secured and enacted.

## **7.0 Background papers, appendices and other relevant material**

Appendix A - C footprint of Community Centres

**Contact Member** Cllr Geoffrey Williamson, Executive Member of Financial Sustainability

### **Contact Officer**

Jess Khanom-Metaman, Head of Operations

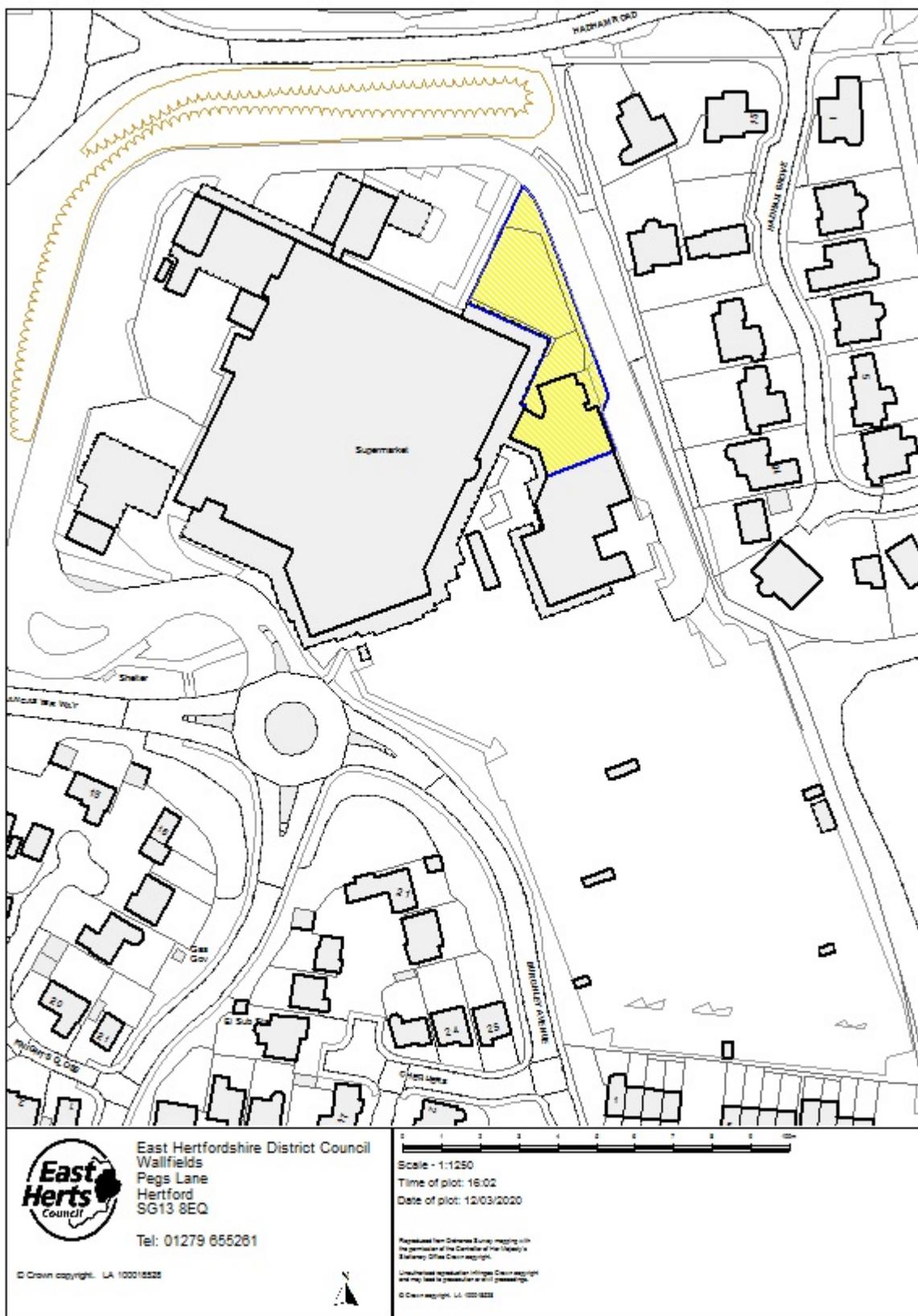
Contact Tel. No. 01992 531693

[jess.khanom-metaman@eastherts.gov.uk](mailto:jess.khanom-metaman@eastherts.gov.uk)

### **Report Author**

Ian Sharratt, Leisure and Parks Development  
Manager

[ian.sharratt@eastherts.gov.uk](mailto:ian.sharratt@eastherts.gov.uk)



East Hertfordshire District Council  
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 Pegs Lane  
 Hertford  
 SG13 8EQ  
 Tel: 01279 655261

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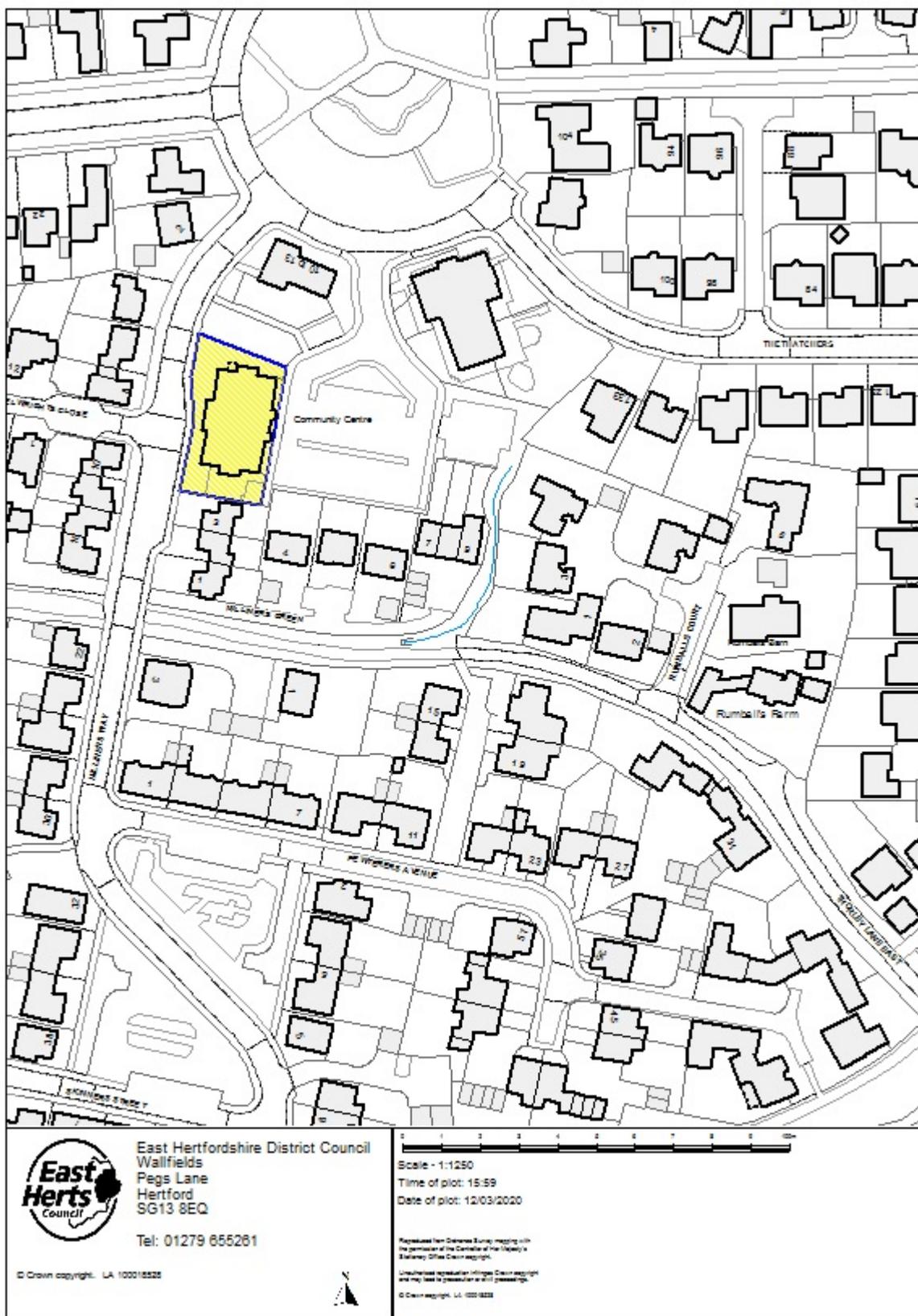
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## East Herts Council Report

### Executive

**Date of Meeting:** 12 July 2022

**Report by:** Cllr Haysey, Leader of the Council and Cllr Goodeve, Executive Member for Planning and Growth

**Report title:** East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022

**Ward(s) affected:** All

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### Summary

- To outline the main findings of the GTANA and to seek Members' approval to agree the document as a material consideration in the determination of planning applications and as technical evidence to support any future review of the District Plan or local planning guidance.

### RECOMMENDATIONS FOR Executive to recommend to Council:

- (a) That the East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022, as detailed at Appendix A to this report, be agreed as a material consideration in the determination of planning applications; and**
  
- (b) That the East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022, as detailed at Appendix A to this report, be agreed as technical evidence to support any future review of the East Herts District Plan, October 2018 and any potential local**

## **planning guidance.**

### **1.0 Proposal(s)**

- 1.1 The purpose of a Gypsy and Traveller Accommodation Needs Assessment (GTANA) is to ensure that, in line with its duties, the Council is fully informed of the current and future accommodation needs of the travelling communities in the district so that it can take appropriate measures to meet those needs going forward. It is therefore necessary for a robust assessment of these needs to be carried out and regularly updated in order to fulfil these requirements.
- 1.2 An East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022 has been completed to replace the previous, now outdated, study which was published in 2016.
- 1.3 It is recommended that the Council agrees the GTANA both as a material consideration in the determination of planning applications and as technical evidence to support any future review of the East Herts District Plan, October 2018 or (once the situation in respect of the provisions of the forthcoming Levelling-Up and Regeneration Bill have become clearer) local planning guidance.

### **2.0 Background**

- 2.1 The Council is required by legislation and Government guidance to assess and plan to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in the district. These requirements are detailed across the revised National Planning Policy Framework (NPPF) 2021; Planning Policy for Traveller Sites (PPTS) 2015; Housing Act 1985; the Housing and Planning Act (2016); and revised Planning Practice Guidance (PPG) 2021. As part of these requirements, local authorities have a duty to undertake an assessment of the accommodation needs of Gypsies, Travellers and Travelling

Showpeople and to ensure a 5-year land supply to meet those needs, in the same way as general needs housing for the settled community.

2.2 Locally, the GTANA is also required in order to:

- a) Provide evidence to underpin planning decisions in relation to planning applications and appeals;
- b) Assist in the Council's annual update of its 5-Year supply position;
- c) Aid negotiations on the timing of provision of traveller accommodation on strategic sites (particularly The Gilston Area GA1, North and East of Ware WARE2, and East of Welwyn Garden City EWEL1);
- d) Inform enforcement cases;
- e) Assist in devising a strategy to meet identified traveller accommodation needs;
- f) Act as evidence to underpin the production of any future review of the District Plan, October 2018; and,
- g) Support the potential formation of local planning guidance, which could provide detailed material to guide potential applicants, aid the consideration of future planning applications by the Council, and further support its position at appeal.

2.3 In order to be able to demonstrate a 5-year land supply, a GTANA should normally be updated at least every five years. The last previous GTANA Update for East Herts was completed in May 2016 and is now considered to be at the end of its useful lifespan.

2.4 While the completion of a new GTANA by its five year end date in May 2021 was not feasible (as Covid constraints had, understandably, delayed the ability to carry out necessary site visits to achieve face-to-face interviews), as soon as possible after national restrictions were lifted, consultants (ORS) were appointed in May 2021 and commenced fieldwork shortly after. The consultants are nationally recognised experts in their field

(which is of an extremely specialised nature) and, having also carried out the Council's previous three assessments, have amassed significant local knowledge of the district's travelling communities.

- 2.5 While appointed in May 2021, due to the movements of the travelling communities last year and the addition of new households moving into the district post the initial 2021 data being obtained, interviews were not finally concluded until April 2022. N.B. in order to ensure the validity of the data that had been obtained in 2021, follow-up contact was made with all households previously interviewed, and these confirmed the position as now reported in the final GTANA. The study achieved an excellent 100% return rate of interviews with the travelling communities across the district.
- 2.6 The final report is attached at **Appendix A** to this report and its main findings are discussed below.

### **3.0 Reasons**

- 3.1 As discussed above, the Council is required by legislation and Government guidance to assess and plan to meet the accommodation needs of Gypsies and Travellers and Travelling Showpeople in the district.
- 3.2 The Council engaged contractors, ORS, in May 2021 to carry out a revised GTANA to replace the outdated 2016 study.
- 3.3 The revised 2022 GTANA has identified the accommodation needs for the travelling communities in the district as discussed below. It should be noted that only the need from those households who meet the planning definition, and from those of any undetermined households who subsequently demonstrate that they meet it (of which there were none identified in the study), should be formally considered as need arising from the GTANA.
- 3.4 The headline numbers of need identified within the report (page 7-8) for Gypsies and Travellers and Travelling Showpeople

who meet the Annex 1<sup>1</sup> definition of PPTS are as follows:

**Figure 1 – Need for Gypsy and Traveller households in East Herts (2022-37)**

Status	2022-37
Meet Planning Definition	<b>43</b>
Undetermined	<b>0</b>
<b>Total</b>	<b>43</b>

**Figure 2 – Need for Gypsy and Traveller households in East Herts that met the Planning Definition by year periods**

Years	0-5	6-10	11-12	13-15	Total
	2022-27	2027-32	2032-34	2034-37	
	31	6	3	3	<b>43</b>

**Figure 3 – Need for Travelling Showpeople households in East Herts (2022-37)**

Status	2022-37
Meet Planning Definition	<b>23</b>
Undetermined	<b>0</b>
<b>Total</b>	<b>23</b>

**Figure 4 – Need for Travelling Showpeople households in East Herts that meet the Planning Definition by year periods**

Years	0-5	6-10	11-12	13-15	Total
	2022-27	2027-32	2032-34	2034-37	
	16	2	3	2	<b>23</b>

<sup>1</sup> Annex 1 can be viewed here: <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites>

- 3.5 The needs identified above should be met through the provision of pitches and plots on sites appropriate to the needs of the specific groups. While not forming part of the published GTANA due to data protection reasons, officers are satisfied that the background data leading to the pitches and plots identified in the study for future provision are accurately reflective of traveller needs in the district across the time period.
- 3.6 While not a requirement of a GTANA, the Council is also obliged to meet the need of those cultural Gypsies and Travellers and Travelling Showpeople who no longer meet the Annex 1 definition. As there is no standard methodology for completing such an assessment within a Strategic Housing Market Assessment (SHMA) that assesses the future accommodation needs of the settled community, it is considered good practice to also assess the accommodation needs of non-nomadic traveller households at the same time as the travelling communities.
- 3.7 The headline numbers of the need identified within the report (page 51-52) for Gypsies and Travellers and Travelling Showpeople who do not meet the Annex 1 definition of PPTS are as follows:

**Figure 5 – Need for Gypsy and Traveller households in East Herts that do not meet the Planning Definition (2022-37)**

Status	2022-37
Do Not Meet Planning Definition	<b>9</b>

**Figure 6 – Need for Gypsy and Traveller households in East Herts that do not meet the Planning Definition by year periods**

Years	0-5	6-10	11-12	13-15	Total
	2022-27	2027-32	2032-34	2034-37	

	5	2	1	1	<b>9</b>
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**Figure 7 – Need for Travelling Showpeople households in East Herts that do not meet the Planning Definition (2022-37)**

Status	2022-37
Do Not Meet Planning Definition	<b>4</b>

**Figure 8 – Need for Travelling Showpeople households in East Herts that do not meet the Planning Definition by year periods**

Years	0-5	6-10	11-12	13-15	Total
	2022-27	2027-32	2032-34	2034-37	
	3	0	1	0	<b>4</b>

3.8 The accommodation needs of the above two groupings are, as supported by the revised NPPF (2021), expected to be met as part of general housing need. Therefore, these needs will be covered under other arrangements and do not form part of the pitches and plots to be provided to meet the accommodation needs of Annex 1 conforming travellers.

3.9 In terms of the identification of accommodation needs of those travellers who do meet the Annex 1 definition, there has been a significant rise since the previous study (2016) when a total need of 9 (as later adjusted) Gypsy and Traveller pitches and 9 Travelling Showpeople plots were identified for the period from 2016-2033.

#### Next Steps

3.10 The Council will now need to consider how best to meet the needs identified and a strategy for doing such will be identified in due course. It should be noted that there may potentially be

(as yet unknown) considerations arising from both the revised NPPF, expected to be published in July, and the forthcoming Levelling-Up and Regeneration Bill, which may affect that approach going forward.

- 3.11 However, while it is recognised that the Council faces a challenge in meeting its requirements in respect of the identified traveller accommodation need in the GTANA, it should be noted that, in anticipation of further needs being identified during the plan period, Policy HOU9 made provision for the safeguarding of land for a significant number of pitches and plots to meet longer term need on the strategic sites at Birchall Garden Suburb, East of Welwyn Garden City (EWEL1), The Gilston Area (GA1) and North and East of Ware (WARE2). These provisions will enable a significant proportion of the identified need for the first five years to be met, alongside the consideration of the potential for expansion of some existing traveller sites, where in suitable sustainable locations and other potential mechanisms.
- 3.12 In order for the Council to move forward on meeting its identified need, providing its required 5-year land supply, and for the other purposes outlined above, it is recommended that the GTANA be agreed.

### Consultation

- 3.13 As this is bespoke technical evidence, no consultation is required other than through the mechanisms which were adopted by the consultants in formulating the GTANA to achieve interviews with members of the travelling communities in the district and other key stakeholders, as appropriate.

## **4.0 Options**

- 4.1 Option 1- Not agreeing the GTANA – The non-agreement of the revised GTANA would leave the Council reliant on outdated evidence in the May 2016 study. Contrary to Government requirements, the Council would be unable to demonstrate up

to date accommodation need requirements for the travelling communities in the district or to assess its position in relation to meeting those needs or demonstrating a 5-year land supply. It would therefore be at significant risk of its credence being undermined in appeal situations and planning negotiations on relevant strategic sites. This approach is not recommended.

- 4.2 Option 2 – Agreeing the GTANA – The agreement of the revised GTANA would provide the Council with an up to date, robust and reliable evidence base. This would strengthen the Council's position in relation to being able to demonstrate identified accommodation needs of travelling communities in the district; assess its 5-year land supply position; and, inform discussions with applicants of the relevant key strategic sites. It would also be a material consideration in the determination of planning applications and appeals and would provide necessary technical evidence for any forthcoming review of the East Herts District Plan, October 2018, or any emerging local planning guidance that the Council may wish to produce, once the situation in respect of the provisions of the new NPPF and the forthcoming Levelling-Up and Regeneration Bill have become clearer.

## **5.0 Risks**

- 5.1 The non-agreement of the GTANA would place the Council at significant risk in respect of not being able to demonstrate up to date accommodation needs of travellers in the district, not subsequently being able to demonstrate a 5-year land supply, being in a weakened position in the determination of planning applications, appeals and negotiations on relevant strategic sites.

## **6.0 Implications/Consultations**

- 6.1 N/A.

## **Community Safety**

No

## **Data Protection**

No

## **Equalities**

Yes – ensures that the accommodation needs of travelling communities in the district are assessed in order that appropriate provision may be made to meet such needs.

## **Environmental Sustainability**

No

## **Financial**

No

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

No

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

7.1 East Herts District Plan October 2018:

- Chapter 14 Housing  
<https://www.eastherts.gov.uk/districtplan>

7.2 **Appendix A:** East Herts Council Gypsy and Traveller Accommodation Needs Assessment (GTANA) May 2022

- 7.3 Planning policy for traveller sites (2015)  
<https://www.gov.uk/government/publications/planning-policy-for-traveller-sites/planning-policy-for-traveller-sites>

**Contact Member**

Cllr Linda Haysey – Leader of the Council

[linda.haysey@eastherts.gov.uk](mailto:linda.haysey@eastherts.gov.uk)

Cllr Jan Goodeve – Executive Member for Planning and Growth

[jan.goodeve@eastherts.gov.uk](mailto:jan.goodeve@eastherts.gov.uk)

**Contact Officer**

Sara Saunders – Head of Planning and Building Control

Contact Tel No 01992 531656

[sara.saunders@eastherts.gov.uk](mailto:sara.saunders@eastherts.gov.uk)

**Report Author**

Kay Mead – Principal Planning Officer (Policy & Implementation)

[kay.mead@eastherts.gov.uk](mailto:kay.mead@eastherts.gov.uk)



# East Herts Council

## Gypsy and Traveller Accommodation Needs Assessment (GTANA)

**Final Report**  
May 2022



Opinion Research Services | The Strand, Swansea SA1 1AF  
Steve Jarman, Michael Bayliss, Gill Craddock, and Lee Craddock  
enquiries: 01792 535300 · [info@ors.org.uk](mailto:info@ors.org.uk) · [www.ors.org.uk](http://www.ors.org.uk)

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# 1. Executive Summary

## Introduction and Methodology

- 1.1 The primary objective of this Gypsy and Traveller Accommodation Needs Assessment (GTANA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in East Hertfordshire for East Herts Council (the Council). In order to comply with the requirements of the revised National Planning Policy Framework (NPPF) 2021, Planning Policy for Traveller Sites (PPTS) 2015, Housing Act 1985, the Housing and Planning Act (2016), and the revised Planning Practice Guidance (PPG) 2021, local authorities have a duty to undertake an assessment of the accommodation needs of Gypsies, Travellers and Travelling Showpeople, and to ensure a 5-year land supply to meet those needs. Therefore, a GTANA should be updated at least every five years. The last previous GTANA for East Herts was completed in May 2016 and an update should have been undertaken in 2021, but Covid-19 impacts led to its delay. However, the work has now been completed, as follows.
- 1.2 As well as updating previous GTANAs, the GTANA provides a credible evidence base which can be used to aid the implementation of District Plan Policies and, where appropriate, the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2022 to 2037, to meet the 15-year requirements set out in PPTS, and with a break to 2033-34 to cover the East Herts District Plan period. The outcomes of this study supersede the outcomes of any previous GTANAs for East Herts Council.
- 1.3 The GTANA has sought to understand the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in East Herts through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites, yards, and encampments. A total of 39 interviews or proxy interviews were completed with Gypsies and Travellers living on sites in East Herts and a total of 39 interviews were completed with Travelling Showpeople. Information was also provided in respect of 26 households living on sites or on the roadside in other local authorities. A total of 10 stakeholder interviews were also completed.
- 1.4 The fieldwork for the study was completed between May 2021 and April 2022 and interviews were completed with households on all occupied sites and yards. The baseline date for the study is April 2022.

## Key Findings

### Pitch Needs – Gypsies and Travellers

- 1.5 Overall, the pitch needs for Gypsies and Travellers for the period 2022-2037 are set out below. Needs are set out for those households that met the planning definition of a Gypsy or Traveller and for any undetermined households<sup>1</sup> where an interview was not able to be completed.

---

<sup>1</sup>See Paragraph 3.28 for further information on undetermined households.

- 1.6 It should be noted that only the need from those households who met the planning definition, and from those of the undetermined households who subsequently demonstrate that they meet it, should be formally considered as need arising from the GTANA.
- 1.7 However, while not a requirement of a GTANA, the need for those households who did not meet the planning definition has also been established and this is identified separately in Chapter 9.
- 1.8 There are 11 Gypsy and Traveller sites in East Herts. All households were interviewed – as such, no undetermined need was identified. A total of 60 Gypsy or Traveller households identified in East Herts met the planning definition and 4 households that did not meet the planning definition. Whilst, due to data protection issues, the findings in this report are aggregated totals for the whole of East Herts, the Council has more detailed data to enable an accurate review for the timing of provision of pitches to be made for individual locations.
- 1.9 The GTANA identifies a need for **43 pitches for households that met the planning definition**. This is made up of 7 unauthorised pitches; 15 concealed or doubled-up households or single adults; 9 from teenagers who will need a pitch of their own in the next 5 years; and 12 from new household formation, using a rate of 1.60% derived from the household demographics<sup>2</sup>.
- 1.10 The GTANA separately identifies a need for **9 pitches for households that did not meet the planning definition**. The need for these households is set out in Chapter 9 and will be considered as part of general housing need.
- 1.11 Figure 1 summarises the identified need and Figure 2 breaks this down by 5-year periods.

**Figure 1 – Need for Gypsy and Traveller households in East Herts (2022-37)**

Status	2022-37
Meet Planning Definition	<b>43</b>
Undetermined	<b>0</b>
<b>Total</b>	<b>43</b>

**Figure 2 – Need for Gypsy and Traveller households in East Herts that met the Planning Definition by year periods<sup>3</sup>**

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	31	6	3	3	<b>43</b>

## Plot Needs - Travelling Showpeople

- 1.12 Overall, the plot needs for Travelling Showpeople for the period 2022-2037 are set out below. Needs are set out for those households that met the planning definition of a Travelling Showperson and for those undetermined households where an interview was not able to be completed.
- 1.13 It should be noted that only the need from those households who met the planning definition and from those of the undetermined households who may subsequently demonstrate that they meet it should be considered as need arising from the GTANA.

<sup>2</sup> See Chapter 7 for further information on new household formation.

<sup>3</sup> Whilst the PPTS requires a 15-year assessment of need, the figures in the GTANA also include a split to 2033 which is the end of the District Plan period in East Herts.

- 1.14 However, while not a requirement of a GTANA, the need for those households who did not meet the planning definition has also been established and this is set out separately in Chapter 9
- 1.15 There is 1 one large Travelling Showmen’s yard in East Herts. All households were interviewed – as such, no undetermined need was identified. A total of 35 households met the planning definition, and a total of 42 households did not meet the planning definition.
- 1.16 The GTANA identifies a need for **23 plots for households that met the planning definition**. This is made up of 12 concealed or doubled-up households or single adults; 4 teenagers in need of a plot of their own in the next 5 years; and 7 from new household formation derived from the household demographics.
- 1.17 The GTANA separately identifies a need for **4 plots for households that did not meet the planning definition**. The need for these households is set out in Chapter 9 and will be considered as part of general housing need.
- 1.18 Figure 3 summarises the identified need arising from the GTANA and Figure 4 breaks this down by 5-year periods.

**Figure 3 – Need for Travelling Showpeople households in East Herts (2022-37)**

Status	2022-37
Meet Planning Definition	<b>23</b>
Undetermined	<b>0</b>
<b>Total</b>	<b>23</b>

**Figure 4 – Need for Travelling Showpeople households in East Herts that meet the Planning Definition by year periods<sup>4</sup>**

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	16	2	3	2	<b>23</b>

## Transit Recommendations

- 1.19 Due to historic low numbers of unauthorised encampments, and the existence of public transit pitches in other districts of Hertfordshire, it is not recommended that there is a need for a formal public transit site in East Herts at this time.
- 1.20 The situation relating to levels of unauthorised encampments should continue to be monitored. As well as information on the size and duration of the encampments, this monitoring should also seek to gather information from residents on the reasons for their stay in the local area; whether they have a permanent base or where they have travelled from; and whether they have any need or preference to settle permanently in the local area. This information could be collected as part of a Welfare Assessment (or similar).
- 1.21 It is recommended that a review of the evidence base relating to unauthorised encampments, including the monitoring referred to above, should be undertaken on a Hertfordshire-wide basis. This will establish whether there is a need for investment in any new transit provision or emergency stopping places, or whether a managed approach is preferable.

<sup>4</sup> Whilst the PPTS requires a 15-year assessment of need, the figures in the GTANA also include a split to 2033 which is the end of the District Plan period in East Herts.

- 1.22 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.
- 1.23 The term ‘negotiated stopping’ is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the Council and the (temporary) residents regarding expectations on both sides. See [www.negotiatedstopping.co.uk](http://www.negotiatedstopping.co.uk) for further information.
- 1.24 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.

## 2. Introduction

- 2.1 The primary objective of this Gypsy and Traveller Accommodation Needs Assessment (GTANA) is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in East Herts. The outcomes of the study will supersede the outcomes of the previous Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments completed in East Herts.
- 2.2 The study provides an evidence base to enable the Council to comply with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act (2016), the revised National Planning Policy Framework (NPPF) 2021, and the revised Planning Practice Guidance (PPG) 2021.
- 2.3 The GTANA provides a robust assessment of need for Gypsy, Traveller and Travelling Showpeople accommodation in the study area. It is a credible evidence base which can be used to aid the implementation of the Council's District Plan Policies and the provision of Traveller pitches and plots covering the period 2022 to 2037 to meet the District Plan period to 2033-34, and the 15-year requirements of the PPTS. As well as identifying current and future permanent accommodation needs, it also seeks to identify any need for the provision of transit sites or emergency stopping places.
- 2.4 We would note at the outset that the study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople, but for ease of reference we have referred to the study as a Gypsy and Traveller (and Travelling Showpeople) Accommodation Needs Assessment (GTANA).
- 2.5 The baseline date for the study is April 2022, which was when the household interviews were completed.

### Definitions

- 2.6 The planning definition for a Gypsy, Traveller or Travelling Showperson is set out in PPTS (2015). The previous definition set out in the Housing Act (2004) was repealed by the Housing and Planning Act (2016).

### The Planning Definition in PPTS (2015)

- 2.7 For the purposes of the planning system, the definition was changed in PPTS (2015). The planning definition is set out in Annex 1 and states that:

*For the purposes of this planning policy "gypsies and travellers" means:*

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) Whether they previously led a nomadic habit of life.
- b) The reasons for ceasing their nomadic habit of life.
- c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

For the purposes of this planning policy, “travelling showpeople” means:

Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

(Planning Policy for Traveller Sites, Department for Communities and Local Government (DCLG), August 2015)

- 2.8 The key change that was made to both definitions was the removal of the term “persons...who have ceased to travel permanently”, meaning that those who have ceased to travel permanently will no longer fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTANA.

## Definition of Travelling

- 2.9 One of the most important questions that GTANA’s will need to address in terms of applying the planning definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’.
- 2.10 **R v South Hams District Council (1994)** – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without any connection between their movements and their means of livelihood.)” This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.
- 2.11 In **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.
- 2.12 In **Greenwich LBC v Powell (1989)**, Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.
- 2.13 The definition was widened further by the decision in **R v Shropshire CC ex p Bungay (1990)**. The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family’s recently approved Gypsy site sought judicial review of the local authority’s decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.
- 2.14 That point was revisited in the case of **Hearne v National Assembly for Wales (1999)**, where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated

that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.

- 2.15 **Wrexham County Borough Council v National Assembly of Wales and Others (2003)** determined that households and individuals could continue to lead a nomadic way of life with a permanent base from which they set out from and return to.
- 2.16 The implication of these rulings in terms of applying the planning definition is that it will **only include those who travel (or have ceased to travel temporarily) for work purposes, or for seeking work, and in doing so stay away from their usual place of residence**. It can include those who have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as holidays and visiting friends or relatives. It will not cover those who commute to work daily from a permanent place of residence (see APP/E2205/C/15/3137477).
- 2.17 It may also be that within a household some family members travel for nomadic purposes on a regular basis, but other family members stay at home to look after children in education, or other dependents with health problems etc. In these circumstances the household unit would be defined as travelling under the planning definition.
- 2.18 Households will also fall under the planning definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family's or dependants' educational, health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled for work in the past. In addition, households will also have to demonstrate that they plan to travel again for work in the future.
- 2.19 This approach was endorsed by a Planning Inspector in Decision Notice for an appeal in East Hertfordshire (Appeal Ref: APP/J1915/W/16/3145267) that was issued in December 2016. A summary can be seen below.

*Case law, including the R v South Hams District Council ex parte Gibb (1994) judgment referred to me at the hearing, despite its reference to 'purposive activities including work' also refers to a connection between the travelling and the means of livelihood, that is, an economic purpose. In this regard, there is no economic purpose... This situation is no different from that of many landlords and property investors or indeed anyone travelling to work in a fixed, pre-arranged location. In this regard there is not an essential connection between wandering and work... Whilst there does appear to be some connection between the travel and the work in this regard, it seems to me that these periods of travel for economic purposes are very short, amounting to an extremely small proportion of his time and income. Furthermore, the work is not carried out in a nomadic manner because it seems likely that it is done by appointment... I conclude, therefore, that XX does not meet the definition of a gypsy and traveller in terms of planning policy because there is insufficient evidence that he is currently a person of a nomadic habit of life.*

- 2.20 This was further reinforced in a more recent Decision Notice for an appeal in Norfolk that was issued in February 2018 (Ref: APP/V2635/W/17/3180533) that stated:

*As discussed during the hearing, although the PPTS does not spell this [the planning definition] out, it has been established in case law (R v South Hams DC 1994) that the nomadism must have an economic purpose. In other words, gypsies and travellers wander or travel for the purposes of making or seeking their livelihood.*

## Legislation and Guidance for Gypsies and Travellers

- 2.21 Decision-making for policy concerning Gypsies, Travellers and Travelling Showpeople sits within a complex legislative and national policy framework and this study must be viewed in the context of this legislation and guidance. For example, the following key pieces of legislation and guidance are relevant when developing policies relating to Gypsies, Travellers and Travelling Showpeople:

- » The Housing Act, 1985
- » Planning Policy for Traveller Sites (PPTS), 2015
- » The Housing and Planning Act, 2016
- » National Planning Policy Framework (NPPF), 2021
- » Planning Practice Guidance<sup>5</sup> (PPG), 2021

- 2.22 In addition, Case Law, Ministerial Statements, the outcomes of Local Plan Examinations and Planning Appeals, and Judicial Reviews need to be taken into consideration. Relevant examples have been included in this report.

- 2.23 The primary guidance for undertaking the assessment of housing need for Gypsies, Travellers and Travelling Showpeople is set out in the PPTS (2015). It should be read in conjunction with the National Planning Policy Framework (NPPF). In addition, the Housing and Planning Act makes provisions for the assessment of need for those Gypsy, Traveller and Travelling Showpeople households living on sites and yards who do not meet the planning definition – through the assessment of all households living in caravans.

## Planning Policy for Traveller Sites (PPTS) 2015

- 2.24 PPTS (2015), sets out the direction of Government policy. As well as introducing the planning definition of a Traveller, PPTS is closely linked to the NPPF. Among other objectives, the aims of the policy in respect of Traveller sites are (PPTS Paragraph 4):

- » *Local planning authorities should make their own assessment of need for the purposes of planning.*
- » *To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites.*
- » *To encourage local planning authorities to plan for sites over a reasonable timescale.*
- » *That plan-making and decision-taking should protect Green Belt from inappropriate development.*

- » *To promote more private Traveller site provision while recognising that there will always be those Travellers who cannot provide their own sites.*
- » *That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective.*
- » *For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies.*
- » *To increase the number of Traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply.*
- » *To reduce tensions between settled and Traveller communities in plan-making and planning decisions.*
- » *To enable provision of suitable accommodation from which Travellers can access education, health, welfare, and employment infrastructure.*
- » *For local planning authorities to have due regard to the protection of local amenity and local environment.*

2.25 In practice, the document states that (PPTS Paragraph 9):

- » *Local planning authorities should set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople, which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities.*

2.26 PPTS goes on to state (Paragraph 10) that in producing their Local Plan local planning authorities should:

- » *Identify and annually update a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets.*
- » *Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.*
- » *Consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a Duty-to-Cooperate on strategic planning issues that cross administrative boundaries).*
- » *Relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density.*
- » *Protect local amenity and environment.*

2.27 Local Authorities now have a duty to ensure a 5-year land supply to meet the identified needs for Traveller sites. However, PPTS 2015 also notes in Paragraph 11 that:

- » *Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria-based policies should be fair and should facilitate the traditional and nomadic life of Travellers, while respecting the interests of the settled community.*

## Revised National Planning Policy Framework (2021)

- 2.28 The most recent version of the revised National Planning Policy Framework was issued in July 2021. Paragraph 61 of the revised NPPF sets out that in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment conducted using the standard method in national planning guidance.
- 2.29 Paragraph 62 then states that [emphasis added] *‘Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, **travellers**, people who rent their homes and people wishing to commission or build their own homes’*. The footnote to this section states that *‘Planning Policy for Traveller Sites sets out how travellers’ housing needs should be assessed for those covered by the definition in Annex 1 of that document.’*
- 2.30 This essentially sets out that the needs of households that meet the planning definition should be assessed under the PPTS and that the needs of households that are not found to meet the planning definition should be assessed as part of the wider housing needs of an area.
- 2.31 In an Appeal Decision that was published in March 2020 for an appeal in Central Bedfordshire (APP/P0240/C/18/3213822) the Inspector concluded in relation to the then Paragraph 61 of the NPPF (now paragraph 62) that:

*It seems to me that this wording makes clear that it is only those meeting that definition that should be included in an assessment of need for ‘planning definition’ travellers and that gypsies who have ceased travelling should be counted and provided for elsewhere and this is the approach proposed in the emerging LP. This does not, of course mean that these gypsies should be allocated ‘bricks and mortar’ type housing. They will also need a suitable supply of caravan sites to meet their needs.*

## Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others [2021]

- 2.32 In June 2021 Mr Justice Pepperall handed down judgment in *Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others* [2021]. The case concerned whether the planning definition of Gypsies and Travellers contained in Annex 1 of the PPTS (2015) is discriminatory against Travellers who are settled and who no longer travel for work. Mr Justice Pepperall dismissed the claim and found the PPTS planning definition to be lawful. This further supports Paragraphs 61 and 62 of the NPPF that requires a separate assessment of need for Travellers who do not meet the PPTS planning definition, and that this need should be addressed through separate Local Plan policies to the Gypsy and Traveller Policy.

## 3. Methodology

### Background

- 3.1 Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments. This has been updated in light of changes to PPTS in August 2015, the Housing and Planning Act (2016) the revised NPPF (2021), and the revised PPG (2021). It has also responded to changes set out by Planning Ministers, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- 3.2 PPTS (2015) contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and, establishing whether households fall within the planning definition for Gypsies, Travellers and Travelling Showpeople.
- 3.3 ORS would note that since the changes to the PPTS in August 2015 the ORS GTANA methodology has been repeatedly found to be sound and robust, including through Local Plan Examinations in Bedford, Cambridge, Castle Point, Central Bedfordshire, Cheltenham, Cotswold, Daventry, East Hertfordshire (for its previous GTANA), Gloucester, Maldon, Milton Keynes, Newham, Runnymede, South Cambridgeshire, South Northamptonshire, Tewkesbury, and Waverley.
- 3.4 A recent Appeal Decision for a Hearing in Central Bedfordshire (APP/P0240/C/18/3213822) that was issued in March 2020 concluded:
- '...whilst there have been some queries in previous appeal decisions over the conclusions of other GTAAs produced by ORS, the methodology, which takes into account the revisions made in 2015 to the Government's Planning Policy for Traveller Sites (PPTS), has nevertheless been accepted by Inspectors in a considerable number of Local Plan Examinations.'*
- 3.5 The Inspector for the now adopted East Herts District Plan also found the evidence base in relation to Gypsies and Travellers to be sound in her Inspection Report that was issued in July 2018. She concluded:
- 'The need of the travelling community has been carefully and robustly assessed and locations to meet identified needs have been allocated for the plan period. Policy HOU9 sets out the need for 5 permanent pitches for Gypsies and Travellers... the approach to the provision of housing is comprehensive, positively prepared, appropriate to the needs of the area and consistent with national policy.'*
- 3.6 The stages below provide a summary of the methodology that was used to complete this study. More information on each stage is provided in the appropriate sections of this report.

## Glossary of Terms/Acronyms

3.7 A Glossary of Terms/Acronyms can be found in **Appendix A**.

## Desk-Based Review

3.8 ORS collated a range of secondary data that was used to support the study. This included:

- » Census data.
- » Traveller Caravan Count data.
- » Records of unauthorised sites/encampments.
- » Information on planning applications/appeals.
- » Information on enforcement actions.
- » Existing Needs Assessments and other relevant local studies.
- » Existing national and local policy, guidance, and best practice.

## Stakeholder Engagement

3.9 Engagement was undertaken with key Council Officers from East Herts through telephone interviews. A total of 3 interviews were completed with Council Officers from the study area.

## Working Collaboratively with Neighbouring Planning Authorities

3.10 To help support the Duty-to-Cooperate and provide background information for the study, telephone interviews were conducted with Planning Officers in neighbouring planning authorities. These interviews will help to ensure that wider issues that may impact on this project are fully understood. This included interviews with Officers from the Councils set out below. Again, a detailed topic guide was agreed with the Council.

- » Broxbourne.
- » Epping Forest.
- » Harlow.
- » North Hertfordshire.
- » Stevenage.
- » Uttlesford.
- » Welwyn Hatfield.

## Survey of Travelling Communities

3.11 As a result of travel and social distancing restrictions due to COVID-19 in March 2020 a 2-stage methodology was used to complete the site and yard fieldwork.

3.12 Through the desk-based research and the stakeholder interviews, ORS sought to identify all authorised and unauthorised sites/yards and encampments in the study area and attempted to complete an interview with the residents on all occupied pitches and plots. In order to gather the most information needed to assess households against the planning definition of a Traveller, up

to 3 attempts were made to interview households where it was not initially possible to conduct an interview because they were not available at the time.

- 3.13 Our experience suggests that an attempt to interview households on all pitches is more robust. A sample-based approach often leads to an under-estimate of need – and is an approach which is regularly challenged by the Planning Inspectorate and at Planning Appeals.
- 3.14 ORS worked closely with the Council to ensure that the interviews would collect all the necessary information to support the study. The site interview questions that were used (see **Appendix E**) have been updated to take account of past changes to PPTS and to collect the information ORS feel is necessary to apply the planning definition. All interviews were completed by members of our dedicated team of experienced Researchers who work on our GTANA studies across England and Wales. Researchers attempted to conduct semi-structured interviews with residents to determine their current demographic characteristics, their current or future accommodation needs, whether there is any over-crowding or the presence of concealed households and travelling characteristics. Researchers also sought to identify contacts living in bricks and mortar to interview, as well as an overall assessment of each site to determine any opportunities for intensification or expansion to meet future needs.
- 3.15 Researchers also sought information from residents on the type of pitches they may require in the future – for example private or socially rented, together with any features they may wish to be provided on a new pitch or site.
- 3.16 Where it was not possible to undertake an interview, Researchers sought to capture as much information as possible about each pitch through a proxy interview from sources including neighbouring residents and site management (if present).

## Stage 1 – Telephone Interviews (May 2021)

- 3.17 The first phase of the fieldwork involved Researchers from ORS attempting to complete interviews over the telephone with residents living on sites and yards. This is an approach that ORS have followed in all of our GTANA's that have been completed since the COVID-19 restrictions were introduced. Contact details were sought through local stakeholders including site owners; by contacting Planning Agents known to operate in the local area; and by sending letters to residents asking them to contact ORS to complete an interview – including follow-up letters. The wording of the letter that ORS currently used has been agreed with members of the Travelling Community and asks households to call ORS Researchers to complete an interview over the telephone. During interviews ORS Researchers also ask households if they have family or friends living on sites in the area and ask them to pass on our contact details and to encourage them to call us.

## Stage 2 – Social Distanced Engagement (June 2021 – April 2022)

- 3.18 When the initial phase of telephone interviews had been completed, ORS sought to complete social distanced engagement with households on sites where it had not been possible to complete interviews over the telephone. ORS completed a detailed COVID-19 Risk Assessment that allowed for limited fieldwork activities to resume in some parts of England. At the time of this study this allowed socially-distanced visits to sites to complete household interviews.

- 3.19 In addition to interviewing travellers at a site occupied since the initial interviews took place, further engagement with Gypsy and Traveller households was undertaken between March and April 2022 to ensure that initial data collected in 2021 was still valid. This additional later engagement covering all sites established that the information previously collated was still accurate.

## Engagement with Bricks and Mortar Households

- 3.20 The 2011 Census recorded just 15 households that were identified as either Gypsies or Irish Travellers who lived in a house or bungalow East Herts and just 4 who lived in a flat or maisonette.
- 3.21 ORS apply a rigorous approach to making contact with bricks and mortar households as this is a common issue raised at Local Plan Examinations and Planning Appeals. Contacts were sought through a range of sources including the interviews with people on existing sites and yards; intelligence from the stakeholder interviews; information from housing registers; and other local knowledge from stakeholders. Through this approach the GTANA endeavoured to do everything to give households living in bricks and mortar the opportunity to make their views known.
- 3.22 As a rule, ORS do not make any assumptions on the overall needs from household in bricks and mortar based on the outcomes of any interviews that are completed, as in our experience this leads to a significant over-estimate of the number of households wishing to move to a site or a yard. ORS work on the assumption that all those wishing to move will make their views known to us based on the wide range of publicity put in place.

## Timing of the Fieldwork

- 3.23 ORS are fully aware of the transient nature of many travelling communities and subsequent seasonal variations in site and yard occupancy. ORS would normally aim to complete fieldwork during the non-travelling season, and also avoid days of known local or national events. However, due to COVID-19 restrictions, the fieldwork was initially completed between May and July 2021 and, more latterly, between March and April 2022 and Researchers were able to collect information on the residents on all occupied sites and yards, representing a 100% response rate.

## Applying the Planning Definition

- 3.24 The primary change to PPTS (2015) in relation to the assessment of need was the change to the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS sought to collect information necessary to assess each household against the planning definition. Since the revised PPTS was issued in 2015, a number of relevant appeal decisions have been issued by the Planning Inspectorate on how the planning definition should be applied (see Paragraphs 2.20 and 2.21 for examples) – these support the view that households need to be able to demonstrate that they travel for work purposes, or for seeking work, to meet the planning definition, and stay away from their usual place of residence when doing so, or have ceased to travel for work purposes temporarily due to education, ill health or old age.
- 3.25 The household survey included a structured section of questions to record information about the travelling characteristics of household members. This included questions on the following key issues:

- » Whether any household members have travelled in the past 12 months.
- » Whether household members have ever travelled.
- » The main reasons for travelling.
- » Where household members travelled to.
- » The times of the year that household members travelled.
- » Where household members stay when they are away travelling.
- » When household members stopped travelling.
- » The reasons why household members stopped travelling.
- » Whether household members intend to travel again in the future.
- » When and the reasons why household members plan to travel again in the future.

3.26 When the household survey was completed, the answers from these questions on travelling were used to determine the status of each household against the planning definition in PPTS (2015). Through a combination of responses, households need to provide sufficient information to demonstrate that household members travel for work purposes, or for seeking work, and in doing so stay away from their usual place of residence, or that they have ceased to travel temporarily due to education, ill health or old age, and plan to travel again for work purposes in the future. The same definition applies to Travelling Showpeople as to Gypsies and Travellers. This included information on the type of work that is undertaken; which family members travelled for work; the times of year that family members travel for work; the duration of trips for work; and where family members stay when travelling away from home for work.

3.27 Households that need to be considered in the GTANA fall under one of three classifications that will determine whether their housing needs will need to be assessed in the GTANA. Only those households that meet, or may meet, the planning definition will form the components of need to be formally included in the GTANA:

- » Households that travel under the planning definition.
- » Households that have ceased to travel temporarily under the planning definition.
- » Households where an interview was not possible who may fall under the planning definition.

3.28 Whilst the needs of those households that do not meet the planning definition do not need to be included in the GTANA, they will be assessed to provide the Council with components of need to consider as part of their work on wider housing needs assessments. This is consistent with the requirements of the revised NPPF (2021).

## Undetermined Households

3.29 As well as calculating need for households that meet the planning definition, the needs of the households where an interview was not completed (either due to refusal to be interviewed or households that were not present during the fieldwork period) need to be assessed as part of the GTANA where they are believed to be Gypsies and Travellers who may meet the planning definition. Whilst there is no law or guidance that sets out how the needs of these households should be addressed; an approach has been taken that seeks an estimate of potential need from

these households. This will be an additional need figure over and above the need identified for households that do meet the planning definition.

- 3.30 The estimate seeks to identify potential current and future need from any pitches known to be temporary or unauthorised, and through new household formation. For the latter, the ORS national rate of 1.50% has been used as the demographics of residents are unknown.
- 3.31 Should further information be made available to the Council that will allow for the planning definition to be applied, these households could either form a confirmed component of need to be addressed through the GTANA or through wider assessments of housing need.
- 3.32 ORS believe it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether households where an interview was not completed meet the planning definition based on the outcomes of households where an interview was completed.
- 3.33 However, data that has been collected from over 5,000 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall, approximately 30% of households who have been interviewed meet the planning definition (this rises to 70% for Travelling Showpeople based on over 400 interviews that have been completed) – and in some local authorities, no households meet the planning definition.
- 3.34 ORS are not implying that this is an official national statistic - rather a national statistic based on the outcomes of our fieldwork since the introduction of PPTS (2015). It is estimated that there are 14,000 Gypsy and Traveller pitches in England and ORS have spoken with households on approximately 30% of them at a representative range of sites. Approximately 30% meet the planning definition. It is ORS' view therefore that this is the most comprehensive national statistic in relation to households that meet the planning definition in PPTS (2015) and should be seen as a robust statistical figure.
- 3.35 This would also suggest that it is likely that only a proportion of the potential need identified from undetermined households will need conditioned Gypsy and Traveller pitches, and that the needs of the majority will need to be addressed through separate Local Plan Policies.
- 3.36 The ORS methodology to address the need arising from undetermined households was supported by the Planning Inspector for a Local Plan Examination for Maldon District Council, Essex. In his Report that was published on 29th June 2017 he concluded:

**150. The Council's stance is that any need arising from 'unknowns' should be a matter left to the planning application process. Modifications to Policy H6 have been put forward by the Council setting out criteria for such a purpose, which I consider further below. To my mind, that is an appropriate approach. While there remains a possibility that up to 10 further pitches may be needed, that cannot be said to represent identified need. It would be unreasonable to demand that the Plan provide for needs that have not been established to exist. That being said, MM242h is nonetheless necessary in this regard. It commits the Council to a review of the Plan if future reviews of the GTAA reveal the necessity for land allocations to provide for presently 'unknown' needs. For effectiveness, I have altered this modification from the version put forward by the Council by replacing the word "may" with "will" in relation to undertaking the review committed to. I have also replaced "the Plan" with "Policy H6" – the whole Plan need not be reviewed.**

## Households that Do Not Meet the Planning Definition

3.37 Households who do not travel for work now fall outside the planning definition of a Traveller. However Romany Gypsies, Irish and Scottish Travellers may be able to claim a right to culturally appropriate accommodation under the Equality Act (2010) as a result of their protected characteristics. In addition, provisions set out in the Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>6</sup> related to this section of the Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTANA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the planning definition of a Traveller will need to be assessed as part of the wider housing needs of the area and will form a subset of the wider need arising from households residing in caravans. This is echoed in the revised NPPF (July 2021).

## Calculating Current and Future Need

3.38 To identify need, PPTS (2015) requires an assessment for current and future pitch requirements but does not provide a methodology for this. However, as with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue is to compare the supply of pitches available for occupation with the current and future needs of the population.

## Supply of Pitches

3.39 The first stage of the assessment sought to determine the number of occupied, vacant, and potentially available supply in the study area:

- » Current vacant pitches.
- » Pitches currently with planning consent due to be developed within 5 years.
- » Pitches vacated by people moving to housing.
- » Pitches vacated by people moving from the study area (out-migration).

3.40 It is important when seeking to identify supply from vacant pitches that they are in fact available for general occupation – i.e. on a public or social rented site, or on a private site that is run on a commercial basis with anyone being able to rent a pitch if they are available. Typically, vacant pitches on small private family sites are not included as components of available supply but can be used to meet any current and future need from the family living on the site.

<sup>6</sup> *Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats.* DCLG (March 2016).

## Current Need

- 3.41 The second stage was to identify components of current need, which is not necessarily the need for pitches because they may be able to be addressed by space already available in the study area. It is important to address issues of double counting:
- » Households on unauthorised developments for which planning permission is not expected.
  - » Concealed, doubled-up or over-crowded households (including single adults).
  - » Households in bricks and mortar wishing to move to sites.
  - » Households in need on waiting lists for public sites.

## Future Need

- 3.42 The final stage was to identify components of future need. This includes the following four components:
- » Teenage children in need of a pitch of their own in the next 5 years.
  - » Households living on sites with temporary planning permissions.
  - » New household formation.
  - » In-migration/roadside.
- 3.43 Household formation rates are often the subject of challenge at appeals or examinations. ORS firmly believe that any household formation rates should use a robust local evidence base, rather than simply relying on national precedent. The approach taken is set out in more detail in Chapter 7 of this report.
- 3.44 ORS are also increasingly identifying households and adult household members who have been forced to leave sites due to over-crowding or exceeding planning conditions on the number of caravans permitted on sites. These households are typically living on the roadside or doubling-up on pitches in neighbouring local authorities. ORS include these households as components of hidden need and term them displaced in-migration.
- 3.45 All of these components of supply and need are presented in tabular format which identify the overall net need for current and future accommodation for Gypsies, Travellers and Travelling Showpeople. This has proven to be a robust model for identifying needs. The residential and transit pitch needs for Gypsies and Travellers and Travelling Showpeople are identified separately and the needs are to 2037, including a break for 2033-34 in line with the District Plan period.

## Pitch Turnover

- 3.46 Some assessments of need make use of pitch turnover as an ongoing component of supply. ORS do not agree with this approach or about making any assumptions about annual turnover rates. This approach frequently ends up significantly under-estimating need as, in the majority of cases, vacant pitches on sites are not available to meet any local need. The use of pitch turnover has been the subject of a number of Inspectors Decisions, for example APP/J3720/A/13/2208767 found a GTANA to be unsound when using pitch turnover and concluded:

*West Oxfordshire Council relies on a GTAA published in 2013. This identifies an immediate need for 6 additional pitches. However, the GTAA methodology treats pitch turnover as a component of supply. This is only the case if there is net outward migration, yet no such scenario is apparent in West Oxfordshire. Based on the evidence before me I consider the underlying criticism of the GTAA to be justified and that unmet need is likely to be higher than that in the findings in the GTAA.*

- 3.47 In addition, Best Practice for Assessing the Accommodation Needs of Gypsies and Travellers<sup>7</sup> produced jointly in June 2016 by organisations including Friends, Families and Travellers, the London Gypsy and Traveller Unit, the York Travellers Trust, the Derbyshire Gypsy Liaison Group, Garden Court Chambers and Leeds GATE concluded that:

*Assessments involving any form of pitch turnover in their supply relies upon making assumptions, a practice best avoided. Turnover is naturally very difficult to assess accurately and in practice does not contribute meaningfully to additional supply so should be very carefully assessed in line with local trends. Mainstream housing assessments are not based on the assumption that turnover within the existing stock can provide for general housing needs.*

- 3.48 As such, other than current vacant pitches on sites that are known to be available, or pitches that are known to become available through the household interviews, pitch turnover has not been considered as a component of supply in this GTANA.

## Transit Provision

- 3.49 GTANA studies require the identification of demand for transit provision. While the majority of Gypsies and Travellers have permanent bases either on Gypsy and Traveller sites or in bricks and mortar and no longer travel, other members of the community either travel permanently or for part of the year. Due to the mobile nature of the population a range of sites can be developed to accommodate Gypsies and Travellers as they move through different areas.

- » **Transit sites** - full facilities where Gypsies and Travellers might live temporarily (for up to three months) – for example, to work locally, for holidays or to visit family and friends.
- » **Emergency stopping places** - more limited facilities.
- » **Temporary sites and stopping places** - only temporary facilities to cater for an event.
- » **Negotiated stopping places** - agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time.

- 3.50 Transit sites serve a specific function of meeting the needs of Gypsy and Traveller households who are visiting an area or who are passing through on the way to somewhere else. A transit site typically has a restriction on the length of stay of usually around 12 weeks and has a range of facilities such as water supply, electricity, and amenity blocks.

<sup>7</sup> See [www.londongypsiesandtravellers.org.uk/resources/](http://www.londongypsiesandtravellers.org.uk/resources/) for details.

- 3.51 An alternative to, or in addition to, a transit site is an emergency stopping place. This type of site also has restrictions on the length of time for which someone can stay on it but has much more limited facilities with typically only a source of water and chemical toilets provided.
- 3.52 Another alternative is ‘negotiated stopping’. The term ‘negotiated stopping’ is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the authority and the (temporary) residents regarding expectations on both sides.
- 3.53 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.
- 3.54 The Criminal Justice and Public Order Act 1994 (Section 62a) is particularly important with regard to the issue of Gypsy and Traveller transit site provision. Section 62a of the Act allows the police to direct trespassers to remove themselves and their vehicles and property from any land where a suitable transit pitch on a relevant caravan site is available within the same local authority area (or within the county in two-tier local authority areas).
- 3.55 In order to investigate the potential need for transit provision when undertaking work to support the study, ORS sought to undertake analysis of any records of unauthorised sites and encampments, as well as information from the Department for Levelling Up Housing and Communities (DLUHC)<sup>8</sup> Traveller Caravan Count. The outcomes of discussions with Council Officers and with Officers from neighbouring planning authorities were also taken into consideration when determining this element of need in the study area.

## 4. Gypsy, Traveller & Travelling Showpeople Sites & Population

### Introduction

- 4.1 One of the main considerations of this study is to provide evidence to support the provision of pitches and plots to meet the current and future accommodation needs of Gypsies, Travellers and Travelling Showpeople. A pitch is an area normally occupied by one household, which typically contains enough space for one or two caravans but can vary in size<sup>9</sup>. A site is a collection of pitches which form a development exclusively for Gypsies and Travellers. For Travelling Showpeople, the most common descriptions used are a plot for the space occupied by one household and a yard for a collection of plots which are typically exclusively occupied by Travelling Showpeople. Throughout this study the main focus is upon how many extra pitches for Gypsies and Travellers and plots for Travelling Showpeople are required in the study area.
- 4.2 The public and private provision of mainstream housing is also largely mirrored when considering Gypsy and Traveller accommodation. One common form of a Gypsy and Traveller site is the publicly provided residential site, which is provided by a Local Authority or by a Registered Provider (usually a Housing Association). Pitches on public sites can be obtained through signing up to a waiting list, and the costs of running the sites are met from the rent paid by the tenants (similar to social housing).
- 4.3 The alternative to a public residential site is a private residential site and yard for Gypsies, Travellers and Travelling Showpeople, respectively. These result from individuals or families buying areas of land and then obtaining planning permission to live on them. Households can also rent pitches on existing private sites. Therefore, these two forms of accommodation are the equivalent to private ownership and renting for those who live in bricks and mortar housing. Generally, the majority of Travelling Showpeople yards are privately owned and managed.
- 4.4 The Gypsy, Traveller and Travelling Showpeople population also has other types of sites due to its mobile nature, as described more fully in Chapter 3 above. Transit sites tend to contain many of the same facilities as a residential site, except that there is a maximum occupancy period of residence which can vary from a few days or weeks to a period of months. An alternative to a transit site is an emergency or negotiated stopping place. This type of site also has restrictions on the length of time someone can stay on it but has much more limited facilities. Both of these two types of site are designed to accommodate, for a temporary period, Gypsies, Travellers and

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<sup>9</sup> Whilst it has now been withdrawn, *Government Guidance on Designing Gypsy and Traveller Sites* recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer [a static caravan or park home for example] and touring caravan, parking space for two vehicles and a small garden area.

Travelling Showpeople whilst they travel. A number of authorities also operate an accepted encampments policy where short-term stopovers are tolerated without enforcement action.

- 4.5 Further considerations for the Gypsy and Traveller population are unauthorised developments and encampments. Unauthorised developments occur on land which is owned by the Gypsies and Travellers or with the approval of the landowner, but for which they do not have planning permission to use for residential purposes. Unauthorised encampments occur on land which is not owned by the Gypsies and Travellers.

## Sites and Yards in East Herts

- 4.6 In East Herts, at the base date for the GTANA, there were no public sites; 6 private sites with permanent planning permission (41 pitches); no private sites with temporary planning permission; no sites that are tolerated for planning purposes; 5 unauthorised sites (6 pitches<sup>10</sup>) and 4 unauthorised pitches on a site with planning permission; and 1 Travelling Showmen's yard (39 plots). There were no public transit sites identified. See **Appendix D** for further details.

Figure 5 - Total amount of provision in East Herts (April 2022)

Category	Sites/Yards	Pitches/Plots
Public sites	0	0
Private with permanent planning permission	6	41
Private with temporary planning permission	0	0
Tolerated pitches	0	0
Unauthorised sites/pitches	6	10
Public transit sites	0	0
Travelling Showpeople yards – private with permanent planning permission	1	39
<b>TOTAL</b>	<b>12<sup>11</sup></b>	<b>90</b>

## DLUHC Traveller Caravan Count

- 4.7 Another source of information available on the Gypsy, Traveller and Travelling Showpeople population is the bi-annual Traveller Caravan Count which is conducted by each Local Authority in England on a specific date in January and July of each year and reported to DLUHC. This is a statistical count of the number of caravans on both authorised and unauthorised sites across England. With effect from July 2013, it was renamed the Traveller Caravan Count due to the inclusion of data on Travelling Showpeople.
- 4.8 As this count is of caravans and not households, it makes it more difficult to interpret for a study such as this because it does not count pitches or resident households. The count is merely a 'snapshot in time' conducted by the Local Authority on a specific day, and any unauthorised sites or encampments which occur on other dates will not be recorded. Likewise, any caravans that are away from sites on the day of the count will not be included. As such it is not considered

<sup>10</sup> Whilst there are additional unauthorised pitches at Esbies Estate only 1 was found to be occupied by Gypsies and Travellers.

<sup>11</sup> There are 4 unauthorised pitches on a site with permanent planning permission – The Stables.

appropriate to use the outcomes from the Traveller Caravan Count in the calculation of current and future need as the information collected during the site visits is seen as more robust and fit-for-purpose. However, the Caravan Count data has been used to support the identification of the need to provide for transit provision and this is set out later in this report.

## 5. Stakeholder Engagement

### Introduction

- 5.1 ORS undertook a stakeholder engagement programme to complement the information gathered through interviews with members of the Travelling Community. This consultation took the form of telephone interviews which were tailored to the role of the individual.
- 5.2 The aim of these interviews was to provide an understanding of current provision and possible future need; short-term encampments; transit provision; and cross-border issues.
- 5.3 A total of three interviews were undertaken with Council Officers from the study area. Whilst attempts were made to engage with the Hertfordshire CC Gypsy liaison and Herts Gate it was not possible to get a response.
- 5.4 As stated in the Planning Policy for Traveller Sites, Local Authorities have a duty to cooperate on strategic planning issues that cross administrative boundaries (S.110 Localism Act 2011). In order to explore issues relating to cross boundary working, ORS interviewed a Planning Officer from 7 neighbouring local authorities:
- » Broxbourne Borough Council
  - » Harlow Council
  - » Epping Forest District Council
  - » North Hertfordshire District Council
  - » Stevenage Borough Council
  - » Uttlesford District Council
  - » Welwyn Hatfield Borough Council
- 5.5 Due to issues surrounding data protection, and in order to protect the anonymity of those who took part, this section presents a summary of the views expressed by interviewees and verbatim comments have not been used. The views expressed in this section of the report represent a balanced summary of the views expressed by stakeholders, and on the views of the individuals concerned, rather than the official policy of their Council or organisation.

### Views of Key Stakeholders and Council Officers in East Herts

#### Accommodation Needs

- 5.6 East Herts have an adopted District Plan in place with policies relating to Gypsies, Travellers and Traveling Showpeople. Specifically, Policy HOU9 identifies specific allocations for Gypsies and Travellers to provide spaces on existing sites to meet the needs that were identified in the previous GTANA (2016). For Travelling Showpeople, East Herts have provision for three different sites to be provided within other strategic allocations; this includes a longer-term development that would provide the scope to meet any new accommodation needs that are identified in the interim.

- 5.7 With reference to the needs that were identified in the last GTANA, the Council have had a five-year supply calculation going forward and, due to permission for other windfall sites in the interim, there is also a surplus of provision of pitches against the targets (up to the end of 2022).
- 5.8 Over the latest plan period, a previously unauthorised site at Little Hadham is now authorised, meaning that needs at the location will have to be taken into consideration.
- 5.9 It was acknowledged that there are instances of overcrowding at Rye House Caravan Park. However, there is provision in the District Plan that will help to meet that need in due course.

## Short-term Encampments and Transit Provision

- 5.10 Short-term unauthorised encampments in the area are rare. It was suggested that there have been no encampments over the past 18 months.
- 5.11 Encampments most commonly report that they are just passing through the area on the way to another destination. East Herts have only had one recent case where the household(s) were looking to stay in the area, who were put in contact with Housing Services.
- 5.12 Welfare checks are carried out for unauthorised encampments. Where needs are established that the Council is able to support, advice is provided and contact arranged with the necessary services.
- 5.13 Bishop's Stortford was highlighted as being a popular location where encampments stop. It was suggested that the location is chosen due to access to open car parks and links to the motorways.

## Cross Border Issues

- 5.14 No specific cross-border issues were discussed.
- 5.15 East Herts have a joint site of 15 pitches proposed to the east of Welwyn Garden City. However, the process of delivery is still to be resolved as the Welwyn Hatfield Local Plan is yet to be adopted. When the situation is resolved, East Herts will work alongside Welwyn Hatfield in terms of where the pitches are provided to ensure all accommodation and welfare needs are met.
- 5.16 As part of the duty to co-operate, when formulating the District Plan East Herts Council had regular meetings with the neighbouring authorities. Through those discussions, each council resolved that they would be able to meet own needs.
- 5.17 It was felt that all areas are concerned are complying with the Duty to Cooperate.

## Future Priorities and Any Further Issues

- 5.18 The council will look to prioritise working with developers and making sure that strategic allocations get provided in suitable locations that meet all the criteria in policy HOU9. Furthermore, working closely with colleagues in Development Management is a priority to ensure that sites are delivered in a timely manner as need is identified.
- 5.19 There will also be an awareness given towards strategic forward planning of site location and quality so that good quality sites are provided in sustainable locations. The Council are looking to avoid having isolated sites with poor access to services and wish to improve integration and coexistence with the settled community.

## Neighbouring Authorities

### Broxbourne Borough Council

5.20 With regard to **overall accommodation need** in Broxbourne, the views of the officer interviewed were as follows:

- » Since the last GTAA the Council adopted the new Broxbourne Local Plan in June 2020. Policy GT1 of the new plan outlines the council's intentions to meet the needs of the Gypsy and Traveller community. The new Broxbourne Local Plan also includes policy GT2 which outlines the intentions to meet the needs of Travelling Showpeople.
- » There are concerns about the presence of several concealed households at the Wharf Road site. At present the exact number is unknown. Wharf Road is a partially authorised and partially an unauthorised encampment. There are also two temporary planning permissions on the site.
- » Given the distinct lack of unauthorised encampments stopping in the area there is no indication that transit provision would be needed.

5.21 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » No cross-border issues were identified.
- » It was felt that Broxbourne and all neighbouring authorities are complying with the Duty to Cooperate.

### Epping Forest District Council

5.22 With regard to **overall accommodation need** in Epping Forest, the views of the officer interviewed were as follows:

- » The Council's emerging Local Plan is at the Main Modifications stage of its development and currently being consulted on with an end date of 23rd September 2021. The emerging Local Plan provides for more than the identified needs for pitches/plots for Travellers and for the identified needs of Travelling Showpeople.
- » The Council are aware of unauthorised/tolerated/temporary within the area. Some of these have subsequently applied for planning permission. A number of appeals have been delayed due to the COVID pandemic and its effect on the Planning Inspectorate's timetable.
- » Accommodation for those who do not meet the planning definition of Gypsies and Travellers will be met both through the general housing supply for 'bricks and mortar' dwellings and the use of Policy H1 to assess proposals from those seeking to live in caravans. The matter of need for a caravan is a legitimate material consideration in the consideration of planning applications. Therefore, the Council considers that the needs of those who do not meet the planning definition of Gypsies and Travellers and seek to be housed in a caravan can be effectively met through the use of Policy H1 to guide decisions on planning applications.

## Harlow District Council

5.23 With regard to **overall accommodation need** in Harlow, the views of the officer interviewed were as follows:

- » Since the last GTAA, Harlow Council has adopted a Development Plan which includes policies to meet identified need until 2033 and to assess local planning applications for new pitches. There is no identified Travelling Showpeople need in Harlow.
- » There are two sites in Harlow (22 pitches and 23 pitches) which were said to be meeting the needs for the area.
- » Unauthorised encampments often arrive in the area during the summer months and conversations with members of these encampments indicated that they were just passing through the town. However, this was different during a period between 2015 – 2017 where Harlow experienced 110 unauthorised encampments and it was necessary to obtain a High Court Injunction to prevent persons named and persons unknown from encamping in Harlow, this injunction has now expired.
- » It was not felt that Harlow requires any form of formal or informal transit provision in order to meet need created by encampments.

5.24 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » No cross-border issues were identified.
- » Monthly meetings are attended with Epping Forest District Council, Essex Police and Essex County Council.
- » It was felt that Harlow are complying with the Duty to Cooperate.

## North Hertfordshire District Council

5.25 With regard to **overall accommodation need** in North Hertfordshire, the views of the officer interviewed were as follows:

- » Since the last GTAA, there has been an ongoing Local Plan Examination seeking to secure provision to address long-term needs. This is expected to conclude in the Autumn (2021). In addition, planning permission has been granted, on a temporary basis, for a site proposed for allocation in the Local Plan to meet future needs. This is currently awaiting the outcome of examination to determine the most appropriate approach to any future application(s) for permanent provision on the site.
- » Current provision meets the evidenced need for Travellers (no need identified for Travelling Showpeople), including sufficient space to accommodate future needs over the period to 2031.
- » North Hertfordshire only receive a small number of unauthorised encampments throughout the year, with the encampments primarily passing through the area to other locations for family events, such as weddings and funerals. Due to the sensitive nature of the places the encampments choose to stay (i.e. on parkland in the middle of residential areas) they are moved on.

- » Resolving the status and long-term needs of certain private sites in the area is a priority identified by the Council.
- 5.26 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:
- » Sites in Stevenage, Welwyn Hatfield and North Hertfordshire are all located relatively close to administrative boundaries which, on occasion, results in families and groups moving across borders.
  - » Ongoing Local Plan examination has not raised any issues with regard to North Hertfordshire’s compliance with the Duty to Cooperate. This includes Statements of Common Ground (or equivalent) agreed with neighbouring authorities, including positions on Gypsy and Traveller provision where relevant.
  - » With exception of St Albans – neighbouring authorities have recent Local Plans or ongoing examinations that test compliance with the Duty to Cooperate.

## Stevenage Borough Council

- 5.27 With regard to **overall accommodation need** in Stevenage, the views of the officer interviewed were as follows:
- » Since the last GTAA, Stevenage Council have allocated a new Gypsy and Traveller site for development.
  - » Current provision and planned provision will accommodate the forecasted need over the Local Plan period.
  - » The Council are not aware of short-term unauthorised encampments stopping in the borough. If encampments were to stop in the borough they would be moved on.
- 5.28 With regard to the subject of cross border issues and the Duty to Cooperate, the views of the officer interviewed were as follows:
- » No cross-border issues were identified.
  - » It was felt that Stevenage and all neighbouring authorities are complying with the Duty to Cooperate.

## Uttlesford District Council

- 5.29 With regard to **overall accommodation need** in Uttlesford, the views of the officer interviewed were as follows:
- » Since the last GTAA, planning applications have been determined in the light of the evidence of the GTAA. A submission Local Plan was also prepared in the light of the evidence from the GTAA. The plan was subsequently withdrawn from the Examination and the Council is now preparing a new Local Plan which will take the GTAA evidence into account.
  - » Uttlesford Council are aware of short-term unauthorised encampments occasionally stopping in the District. A county-wide study is currently being led by Essex County Council into the need and location of transit sites.

- » Compared to other districts in Essex, it was felt that there is probably less pressure for a transit site in Uttlesford.

5.30 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » No cross-border issues were identified.
- » The Essex authorities have previously worked together on a joint GTAA.
- » It was felt that Uttlesford and all neighbouring authorities are complying with the Duty to Cooperate.

## Welwyn Hatfield Borough Council

5.31 With regard to **overall accommodation need** in Welwyn Hatfield, the views of the officer interviewed were as follows:

- » Since the last GTAA, Welwyn Hatfield have introduced Policy SP7 of the Draft Local Plan proposals with a view to meet the identified need. It is expected there will be some changes to this policy to reflect modifications arising from the Local Plan Hearing sessions and a decision to be made by members in relation to site allocations in September 2021.
- » There are currently 57 pitches on existing permanent authorised Gypsy and Traveller sites in Welwyn Hatfield. One pitch is a temporary permission until 2023 and provision of six pitches has been granted on Local Plan site SDS1 at Welwyn Garden City. Welwyn Hatfield monitoring notes that in the monitoring year of 2019/20 there were 53 more caravans than permitted on authorised sites, highlighting the need in the borough. The Local Plan allocated sites to facilitate the delivery of 61 additional pitches to meet the need demonstrated in evidence. The Plan recognises that the accommodation needs assessment will need to be reviewed during the plan period.
- » Households living in bricks and mortar were contacted during the 2016 assessment. It was identified that there were 42 gypsy and traveller households living in brick and mortar at the time. Only 9 households took part in the assessment, and none wanted to return to living in a caravan on a site. However, an allowance of four pitches was made in the assessment to take account of households on the Hertfordshire County Council Site Waiting List who wish to move from bricks and mortar.
- » Welwyn Hatfield monitoring notes that in the monitoring year of 2019/20 there were 12 unauthorised encampments. A public transit site is provided at South Mimms by Hertfordshire County Council, this is located in Hertsmere but is the only public transit site in Hertfordshire. During the last GTAA it was concluded that there was a need for one pitch in Welwyn Hatfield to meet the need of those residing on the South Mimms site who needed to cease travelling, and one pitch for a newly formed household who wanted to live in Welwyn Hatfield. This need was accounted for in the Local Plan target for provision.

5.32 With regard to the subject of **cross border issues and the Duty to Cooperate**, the views of the officer interviewed were as follows:

- » The Council has a shared policy with East Herts for the allocation of a strategic site Birchall Garden Suburb with a shared allocation for 15 pitches for Gypsy and Travellers. The County Council currently manage public sites in the borough but are suggested to not be prepared to manage any new sites. The management of new sites is considered to be a cross-boundary issue.
- » A Memorandum of Understanding between East Herts and Welwyn Hatfield indicates that the authorities have agreed that a shared evidence base would be useful at the plan review stage to take into account the needs for a wider area, particularly to address transit requirements.
- » It was felt that Welwyn Hatfield and all neighbouring authorities are complying with the Duty to Cooperate.

## 6. Survey of Travelling Communities

### Interviews with Gypsies and Travellers

6.1 One of the major components of this study was a detailed survey of the Gypsy and Traveller population living in the study area, and also efforts to engage with the bricks and mortar community. Through the desk-based research and stakeholder interviews ORS identified no public sites; 6 private sites with permanent planning permission; 5 unauthorised sites and 4 unauthorised pitches on a site with planning permission; and 1 Travelling Showmen’s Yard with permanent planning permission. The table below sets out the number of pitches/plots, the number of interviews that were completed, and the reasons why interviews were not completed. During the period between commencing the GTANA and reporting no further transient households were identified to interview other than those who were interviewed.

Figure 6 – Interviews completed in East Herts

Site Status	Pitches/Plots	Interviews	Reasons for not completing interviews/additional interviews
<b>Public Sites</b>			
None	-	-	-
<b>Private Sites</b>			
Ashview Stables	1	1	-
Field Farm	6	6	-
Land off Chapel Lane, Little Hadham (Park Hill View)	10	10	-
Nine Acres	13	1	12 x non-Travellers
The Stables	10	10	Although 10 pitches are currently permitted, 14 pitches are set out
Wheelwrights Farm	1	1	-
<b>Temporary Sites</b>			
None	-	-	-
<b>Tolerated Sites</b>			
None	-	-	-
<b>Unauthorised Sites/Pitches</b>			
Cherry Green Lane	2	2	-
Esbies Estate	1	1	-
Elmfield Stables	1	1	-
Land adjacent to Long Leys Barn	1	1	-
Plot 64, Mill View Hare Street (The Old Allotment)	1	1	-
The Stables	4	4	4 x unauthorised pitches over and above those permitted on an authorised site with planning permission for 10 pitches
<b>Travelling Showpeople</b>			
Rye House Caravan Park	39	39	-
<b>TOTAL</b>	<b>90</b>	<b>78</b>	

## Interviews with Gypsies and Travellers in Bricks and Mortar

<sup>6.2</sup> Despite all of the efforts that were made<sup>12</sup> it was not possible to identify and interview any households living in bricks and mortar.

# 7. Current and Future Pitch Provision

## Introduction

- 7.1 This section focuses on the pitch provision which is needed in the study area currently and to 2036-37. This includes both current unmet need and need which is likely to arise in the future<sup>13</sup>. This time period allows for robust forecasts of the requirements for future provision, based upon the evidence contained within this study and also secondary data sources. Whilst the difficulty in making accurate assessments beyond 5 years has been highlighted in previous studies, the approach taken in this study to estimate new household formation has been accepted by Planning Inspectors as the most appropriate methodology to use.
- 7.2 We would note that this section is based upon a combination of the on-site surveys, planning records and stakeholder interviews. In many cases, the survey data is not used in isolation, but instead is used to validate information from planning records or other sources.
- 7.3 This section concentrates not only upon the total provision which is required in the area, but also whether there is a need for any transit sites and/or emergency stopping place provision.

## New Household Formation Rates

- 7.4 Nationally, a household formation and growth rate of 3.00% net per annum<sup>14</sup> has been commonly assumed and widely used in local Gypsy and Traveller assessments, even though there is no statistical evidence of households growing so quickly. The result has been to inflate both national and local requirements for pitches unrealistically. In this context, ORS prepared a *Technical Note on Gypsy and Traveller Household Formation and Growth Rates* in 2015 and updated it in June 2020. The main conclusions are set out here and the full paper is in **Appendix F**.
- 7.5 Those seeking to provide evidence of high annual net household growth rates for Gypsies and Travellers have sometimes sought to rely on increases in the number of caravans, as reflected in caravan counts. However, caravan count data is unreliable and erratic – so the only proper way to project future population and household growth is through demographic analysis.
- 7.6 The Technical Note concludes that, in fact, the growth in the national Gypsy and Traveller population may be as low as 1.25% per annum – much less than the 3.00% per annum often assumed, but still greater than in the settled community. Even using extreme and unrealistic assumptions, it is hard to find evidence that net Gypsy and Traveller population and household growth rates are above 2.00% per annum nationally.
- 7.7 The often assumed 3.00% per annum net household growth rate is unrealistic and would require clear statistical evidence before being used for planning purposes. In practice, the best available evidence supports a national net household growth rate of 1.50% per annum for Gypsies and

<sup>13</sup> See Paragraphs 3.41 and 3.42 for details of components on current and future need.

<sup>14</sup> Page 25, *Gypsy and Traveller Accommodation Needs Assessments – Guidance (DCLG – 2007)* Now withdrawn.

Travellers (in addition research by ORS has identified a national growth rate of 1.00% for Travelling Showpeople) and this has also been adjusted locally based on site demographics.

- 7.8 This view has been supported by Planning Inspectors in a number of Decision Notices. The Inspector for an appeal in Doncaster that was issued in November 2016 (Ref: APP/F4410/W/15/3133490) where the agent acting on behalf of the appellant claimed that a rate closer to 3.00% should be used concluded:

*In assessing need account also needs to be taken of likely household growth over the coming years. In determining an annual household growth rate, the Council relies on the work of Opinions Research Services (ORS), part of Swansea University. ORS's research considers migration, population profiles, births & fertility rates, death rates, household size data and household dissolution rates to determine average household growth rates for gypsies and travellers. The findings indicate that the average annual growth rate is in the order of 1.50% but that a 2.50% figure could be used if local data suggest a relatively youthful population. As the Council has found a strong correlation between Doncaster's gypsy and traveller population age profile and the national picture, a 1.50% annual household growth rate has been used in its 2016 GTANA. Given the rigour of ORS's research and the Council's application of its findings to the local area I accept that a 1.50% figure is justified in the case of Doncaster.*

- 7.9 Another more recent case was in relation to an appeal in Guildford that was issued in March 2018 (Ref: APP/W/16/3165526) where the agent acting on behalf of the appellant again claimed that a rate closer to 3.00% should be used. The Inspector concluded:

*There is significant debate about household formation rates and the need to meet future growth in the district. The obvious point to make is that this issue is likely to be debated at the local-plan examination. In my opinion, projecting growth rates is not an exact science and the debate demonstrates some divergence of opinion between the experts. Different methodologies could be applied producing a wide range of data. However, on the available evidence it seems to me that the figures used in the GTAA are probably appropriate given that they are derived by using local demographic evidence. In my opinion, the use of a national growth rate and its adaptation to suit local or regional variation, or the use of local base data to refine the figure, is a reasonable approach.*

- 7.10 In addition, the Technical Note has been accepted as a robust academic evidence base and has been published by the Social Research Association in its journal Social Research Practice in December 2017. The overall purpose of the journal is to encourage and promote high standards of social research for public benefit.

- 7.11 ORS assessments take full account of the net local household growth rate per annum calculated on the basis of demographic evidence from the site surveys, and the 'baseline' includes all current authorised households, all households identified as in current need (including concealed households, movement from bricks and mortar and those on waiting lists not currently living on a pitch or plot), as well as households living on tolerated unauthorised pitches or plots who are not included as current need. The assessments of future need also take account of modelling projections based on birth and death rates, household dissolution, and in-/out-migration.

- 7.12 Overall, the household growth rate used for the assessment of future needs has been informed by local evidence. This demographic evidence has been used to adjust the national growth rate

of 1.50% up or down based on the proportion of those aged under 18 (by planning status). In East Herts this approach has been taken to determine the new household formation rate for Gypsy and Traveller households that met the planning definition. For households that met the planning definition 39% of residents were aged under 18. This demographic evidence is slightly higher than the ORS national growth rate of 1.50% (which is based on 36% aged under 18). Therefore, an adjusted rate of 1.60% has been used based on the proportion of those aged under 18 in households that met the planning definition in East Herts.

- 7.13 In certain circumstances where the numbers of households and children are low, or the population age structure is skewed by certain age groups, it is not appropriate to apply a percentage rate for new household formation. In these cases, a judgement is made on likely new household formation based on the age and gender of the children. This is based on the assumption that 50% of households likely to form will stay in the area based on evidence from other GTANA's that ORS have completed across England and Wales. This approach has been taken to determine levels of new household formation for Gypsies and Travellers that did not meet the planning definition in East Herts, and also for Travelling Showpeople.
- 7.14 Overall new household formation for those that met and did not meet the planning definition has also been adjusted to take account of teenagers in need of a pitch in the next 5 years who have already been identified as components of need. This eliminates any double counting in the assessment of need.

## Breakdown by 5 Year Bands

- 7.15 In addition to tables which set out the overall need for Travellers, the overall need has also been broken down by 5-year bands as required by PPTS (2015), as well as including a split to 2033-34 in line with the East Herts District Plan period. The way that this is calculated is by including all current need (from unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households, 5 year need from teenage children, and net movement from bricks and mortar) in the first 5 years. In addition, the total net new household formation is split across the GTANA period based on the compound rate of growth that was applied rather than being split equally over time.

## Applying the Planning Definition

- 7.16 The outcomes from the household interviews were used to determine the status of each household against the planning definition in PPTS (2015). This assessment was based on the responses to the questions given to Researchers. Only those households that met the planning definition or those who demonstrated that they have ceased to travel temporarily (due to education, ill health, or old age) form the components of need in the GTANA that will need to be addressed through a Gypsy and Traveller Local Plan Policy. In addition, households where an interview was not completed who may meet the planning definition have also been included as a potential additional component of need from undetermined households. Whilst they do not need to be formally considered in the GTANA, need from households that did not meet the planning definition has also been assessed to provide the Council with information on levels of need that will have to be considered as part of the wider housing needs of the area and through separate Local Plan Policies.

- 7.17 The information used to assess households against the planning definition included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future and for what reasons. The table below sets out the planning status of households that were interviewed for the East Herts GTANA. This includes any hidden households that were identified during the household interviews including concealed and doubled-up households or single adults and accepted in-migration.

Figure 7 – Planning status of households in East Herts

Status	Meet Planning Definition	Do Not Meet Planning Definition	Undetermined
<b>Gypsies and Travellers</b>			
Public Sites	-	-	-
Private Sites	49	1	0
Temporary Sites	-	-	-
Tolerated Sites	-	-	-
Unauthorised Sites	11	3	0
<b>Sub-Total</b>	<b>60</b>	<b>4</b>	<b>0</b>
<b>Travelling Showpeople</b>			
Private Yards	35	42	0
<b>Sub-Total</b>	<b>35</b>	<b>42</b>	<b>0</b>
<b>TOTAL</b>	<b>95</b>	<b>46</b>	<b>0</b>

- 7.18 Figure 7 shows that for Gypsies and Travellers, 60 households met the planning definition of a Traveller, and for Travelling Showpeople 35 households met the planning definition in that ORS were able to determine that household members travel for work purposes, or for seeking work, and stay away from their usual place of residence or have ceased to travel temporarily.
- 7.19 A total of 4 Gypsy and Traveller households and 42 Travelling Showpeople households did not meet the planning definition as they were not able to demonstrate that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health, or old age. Some did travel for cultural reasons, to visit relatives or friends, and others had ceased to travel permanently. 12 pitches were occupied by non-travellers.

## Interviews with Gypsies and Travellers in Bricks and Mortar

- 7.20 Despite all of the efforts that were made<sup>15</sup>, it was not possible to identify or interview any households living in bricks and in East Herts.

## Migration/Roadside

- 7.21 The study has also sought to address in-migration (households requiring accommodation who move into the study area from outside) and out-migration (households moving away from the study area). Site surveys typically identify only small numbers of in-migrant and out-migrant households and the data is not normally robust enough to extrapolate long-term trends. At the national level, there is nil net migration of Gypsies and Travellers across the UK, but the

assessment has taken into account local migration effects on the basis of the best evidence available.

- 7.22 The study also sought to identify need from households who have been forced to move from sites due to overcrowding and who are currently living on the roadside or on sites in other local authorities – and who have strong family links with households in East Herts. These are referred to as roadside households or displaced in-migration.
- 7.23 Evidence drawn from stakeholder and household interviews has been considered alongside assessments of need that have been completed in other nearby local authorities. The household interviews identified 3 households living in other local authorities who would like to move to a family site in East Herts if planning permission for additional pitches is approved (Wheelwrights Farm).
- 7.24 The household interviews also identified a total of 24 family groups who are currently living on the roadside in unknown locations either in East Herts or in other local authorities who have a desire for a pitch on a private site in East Herts. Due to a lack of information about these households, or evidence that they are currently living on sites in East Herts, these households have not been included as components of need in the GTANA and any need that does arise should be dealt with through the adopted Criteria-Based Local Plan Policies.
- 7.25 ORS have found no firm evidence from other local studies that have been completed recently of any additional households wishing to move to East Herts. Therefore, apart from the potential need set out above, net migration to the sum of zero has been assumed for the GTANA – which means that net pitch requirements are driven by locally identifiable need rather than speculative modelling assumptions.
- 7.26 It is important to note that any applications for new sites or additional pitches as a result of in-migration should be seen as windfall need and will not contribute towards meeting need identified in the GTANA.

## Pitch Needs – Gypsies and Travellers that meet the Planning Definition

- 7.27 The 60 households that met the planning definition were found on private and unauthorised sites in East Herts.
- 7.28 Analysis of the household interviews indicated that there is a current need from 7 unauthorised pitches; and for 15 pitches from concealed or doubled-up households or adults. Future need has been identified for 9 pitches for teenage children who are in need of a pitch of their own in the next 5 years; and for 12 pitches as a result of new household formation, using a rate of 1.60% derived from the demographics of the residents. Therefore, the overall level of need for those households who met the planning definition of a Gypsy or Traveller is for **43 pitches** over the GTANA period.
- 7.29 Policy HOU9 in the East Herts District Plan includes a number of allocations (totalling 22 pitches) to meet need that was identified in the previous GTANA and to serve need identified beyond 5 years. Whilst these allocations have not been included in as components of supply as they do not currently have planning permission, the council should continue to monitor the delivery of these pitches and net off against need identified in this GTANA once they have been delivered and occupied. There were also 12 pitches that were found to not be occupied by Gypsies or Travellers. Some of these pitches could also be used to meet need identified in the GTANA.

**Figure 8 – Need for Gypsy and Traveller households in East Herts that met the Planning Definition (2022-37)**

Gypsies and Travellers – Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Available supply from vacant public and private pitches	0
Available supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	7
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	15
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>22</b>
<b>Future Need</b>	
5 year need from teenage children	9
Households on sites with temporary planning permission	0
In-migration/Roadside	0
New household formation (Household base 62 and formation rate 1.60%)	12
<b>Total Future Needs</b>	<b>21</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>43</b>

**Figure 9 – Need for Gypsy and Traveller households in East Herts that met the Planning Definition by 5-year periods**

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	31	6	3	3	43

## Pitch Needs – Undetermined Gypsies and Travellers

<sup>7.30</sup> It was possible to complete interviews with households living on all Gypsy and Traveller sites in East Herts so there were no undetermined households.

## Travelling Showpeople Needs

### Plot Needs – Travelling Showpeople

- 7.31 There is 1 one large Travelling Showmen’s yard in East Herts. All households were interviewed. A total of 35 households met the planning definition, and a total of 42 households did not meet the planning definition.
- 7.32 The GTANA identifies a need for **23 plots for households that met the planning definition**. This is made up of 12 concealed or doubled-up households or single adults; 4 teenagers in need of a plot of their own in the next 5 years; and 7 from new household formation derived from the household demographics.
- 7.33 Policy HOU9 in the East Herts District Plan includes a number of allocations totalling 21 plots to meet need that was identified in the previous GTANA and to serve need identified beyond 5 years. Whilst these allocations have not been included in as components of supply, the Council should continue to monitor the delivery of these plots and net off against need identified in this GTANA once they have been delivered and occupied.

**Figure 10 – Need for Travelling Showpeople households in East Herts that met the Planning Definition (2022-37)**

Travelling Showpeople – Meeting Planning Definition	Plots
<b>Supply of Plots</b>	
Available supply from vacant public and private plots	0
Available supply from pitches on new yards	0
Plots vacated by households moving to bricks and mortar	0
Plots vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	12
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>12</b>
<b>Future Need</b>	
5 year need from teenage children	4
Households on yards with temporary planning permission	0
In-migration	0
New household formation <i>(Formation from household demographics)</i>	7
<b>Total Future Needs</b>	<b>11</b>
<b>Net Plot Need = (Current and Future Need – Total Supply)</b>	<b>23</b>

**Figure 11 – Need for Travelling Showpeople households in East Herts that met the Planning Definition by 5-year periods**

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	16	2	3	2	23

## Transit Requirements

- 7.34 When determining the potential need for transit provision the assessment has looked at data from the DLUHC Traveller Caravan Count, the outcomes of the stakeholder interviews and records on numbers of unauthorised encampments, and the potential wider issues related to changes made to PPTS in 2015.

## DLUHC Traveller Caravan Count

- 7.35 Whilst it is considered to be a comprehensive national dataset on numbers of authorised and unauthorised caravans across England, it is acknowledged that the Traveller Caravan Count is a count of caravans and not households. It also does not record the reasons for unauthorised caravans. This makes it very difficult to interpret in relation to assessing future need because it does not count pitches or resident households. The count is also only a twice yearly (January and July) ‘snapshot in time’ conducted by local authorities on a specific day, and any caravans on unauthorised sites or encampments which occur on other dates are not recorded. Likewise, any caravans that are away from sites on the day of the count are not included. As such it is not considered appropriate to use the outcomes from the Traveller Caravan Count in the assessment of future transit provision. It does however provide valuable historic and trend data on whether there are instances of unauthorised caravans in local authority areas.
- 7.36 Data from the Traveller Caravan Count shows that there have been no unauthorised caravans on land not owned by Travellers recorded in the study area in recent years.

## Stakeholder Interviews and Local Data

- 7.37 Whilst there is currently no public transit provision in East Herts, there is a public transit site in Hertsmere which is also in Hertfordshire.
- 7.38 Information from the stakeholder interviews identified that there are occasional encampments, but that these are households passing through and that they are dealt with effectively by the Council’s Enforcement Team.

## Transit Recommendations

- 7.39 Due to historic low numbers of unauthorised encampments, and the existence of a public transit site in Hertsmere, it is not recommended that there is a need for a formal public transit site in East Herts at this time.
- 7.40 The situation relating to levels of unauthorised encampments should be monitored. As well as information on the size and duration of the encampments, this monitoring should also seek to gather information from residents on the reasons for their stay in the local area; whether they have a permanent base or where they have travelled from; and whether they have any need or preference to settle permanently in the local area. This information could be collected as part of a Welfare Assessment (or similar).
- 7.41 It is recommended that a review of the evidence base relating to unauthorised encampments, including the monitoring referred to above, should be undertaken on a Hertfordshire-wide basis.

This will establish whether there is a need for investment in any new transit provision or emergency stopping places, or whether a managed approach is preferable.

- 7.42 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.
- 7.43 The term ‘negotiated stopping’ is used to describe agreed short-term provision for Gypsy and Traveller caravans. It does not describe permanent ‘built’ transit sites but negotiated agreements which allow caravans to be sited on suitable specific pieces of ground for an agreed and limited period of time, with the provision of limited services such as water, waste disposal and toilets. Agreements are made between the Council and the (temporary) residents regarding expectations on both sides. See [www.negotiatedstopping.co.uk](http://www.negotiatedstopping.co.uk) for further information.
- 7.44 Temporary stopping places can be made available at times of increased demand due to fairs or cultural celebrations that are attended by Gypsies and Travellers. A charge may be levied as determined by the local authority although they only need to provide basic facilities including: a cold-water supply; portaloos; sewerage disposal point and refuse disposal facilities.

## 8. Conclusions

8.1 This study provides a robust evidence base to enable the Council to assess the housing needs of the Travelling Community as well as complying with their requirements towards Gypsies, Travellers and Travelling Showpeople under the Housing Act 1985, Planning Policy for Traveller Sites (PPTS) 2015, the Housing and Planning Act 2016, the revised National Planning Policy Framework (NPPF) 2021, and Planning Practice Guidance (PPG) 2021. It also provides the evidence base which can be used to support Local Plan Policies.

### Gypsies and Travellers

8.2 In summary there is a need for:

- » 43 pitches in East Herts over the GTANA period to 2036-37 for Gypsy and Traveller households that met the planning definition.
- » No pitches for undetermined Gypsy and Traveller households that may meet the planning definition.

8.3 In general terms need identified in a GTANA is seen as need for pitches. As set out in Chapter 4 of this report, the now withdrawn *Government Guidance on Designing Gypsy and Traveller Sites* recommended that, as a general guide, an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, parking space for two vehicles and a small garden area.

8.4 However, it is recommended that alternative approaches should be considered when seeking to address the levels of need identified in this GTANA, especially when seeking to meet the need through the intensification or expansion of existing private sites.

8.5 The first approach to consider is in relation to single concealed or doubled-up adults and teenagers who will be in need of a pitch of their own in the next 5 years. In the short to medium term, it is likely that the accommodation need of these individuals could be met through additional touring caravans on existing sites which are, generally, each equivalent to the provision of a pitch, as opposed to more formally set out pitches.

8.6 The second approach to consider is for sites occupied by larger extended family groups. Again, sites like this may be able to meet the overall accommodation needs through a combination of shared static caravans, tourers and dayrooms on existing sites which are, generally, each equivalent to the provision of a pitch – as opposed to more formally set out sites with separate pitches. It is common for conditions in Decision Notices for Travellers sites to simply place limits on the numbers and types of caravans as opposed to placing limits on the number of pitches.

8.7 Future need from new household formation could also be met through natural turnover of pitches over time, or through enforcing against pitches not found to be occupied by Gypsies or Travellers.

8.8 It is recognised that the Council has an adopted District Plan, October 2018. The findings of this report should therefore be considered as part of future housing mix and type within the context of the assessment of overall housing need in relation to Gypsies, Travellers and Travelling Showpeople. Whilst the findings in this report are aggregated totals for the whole of East Herts

due to data protection issues, the Council have more detailed data to enable an accurate review of Local Plan allocations to be made.

## Travelling Showpeople

- 8.9 In summary there is a need for:
- » 23 plots in East Herts over the GTANA period to 2036-37 for Travelling Showpeople households that met the planning definition.
  - » No plots for undetermined Travelling Showpeople households that may meet the planning definition.

## Transit Provision

- 8.10 Due to historic low numbers of unauthorised encampments, and the existence of a public transit site in Hertsmere, it is not recommended that there is a need for a formal public transit site in East Herts at this time. However, there is a need for a more strategic approach to transit provision across Hertfordshire to establish whether there is a need for transit provision.
- 8.11 In the short-term the Council should continue to use its current approach when dealing with unauthorised encampments and management-based approaches such as negotiated stopping agreements could also be considered.

## Summary of Need to be Addressed – Gypsies and Travellers

- 8.12 Taking into consideration all of the elements of need that have been assessed the table below sets out the likely number of pitches that will need to be addressed.
- 8.13 The total need from Gypsies and Travellers in East Herts that met the planning definition is for 43 pitches. The table below breaks total need down by the number that met the planning definition.

**Figure 12 – Need for Gypsy and Traveller households in East Herts (2022-37)**

Status	2022-37
Meet Planning Definition	43
<b>TOTAL</b>	<b>43</b>

## Summary of Need to be Addressed – Travelling Showpeople

- 8.14 Taking into consideration all of the elements of need that have been assessed, the table below sets out the likely number of plots that will need to be addressed as a result of the GTANA.
- 8.15 Total need from Travelling Showpeople in East Herts that met the planning definition is for 23 plots. The table below shows total need by the number that met the planning definition.

**Figure 13 – Need for Travelling Showpeople households (2022-37)**

Status	2022-37
Meet Planning Definition	23
TOTAL	23

## 9. Travellers that do not meet the Planning Definition

- 9.1 The PPTS no longer requires that the accommodation needs of travellers that do not meet the Annex A definition should be taken into account in a GTANA as their needs are expected to be met as part of general housing need. This is supported by the revised NPPF (2021).
- 9.2 However, in order to provide the Council with an understanding of the needs of all travellers in East Herts, an additional assessment has been included as part of this report.

### Pitch Needs – Gypsies and Travellers that do not meet the Planning Definition

- 9.3 It is not now a requirement for a GTANA to include an assessment of need for households that did not meet the planning definition. However, this assessment is included for illustrative purposes, to help fulfil the requirements of the Housing Act (1985)<sup>16</sup> and to provide the Council with information on levels of need to be addressed.
- 9.4 On this basis, it is evident that, whilst the needs of the 4 households who did not meet the planning definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as many identified as Irish and Romany Gypsies and may claim that the Council should meet their housing needs through culturally appropriate housing.
- 9.5 Analysis of the household interviews indicated that there is a current need from 3 unauthorised pitches. The future need identified is for 2 from teenagers who will need a pitch of their own in the next 5 years; and 4 from new household formation derived from the household demographics. Therefore, the overall level of need for those households who did not meet the planning definition of a Gypsy or Traveller is for **9 pitches** over the GTANA period. A full summary of this need for households that did not meet the planning definition can be found in **Appendix C** with the headline figures provided below.

Figure 14 – Need for Gypsy and Traveller households in East Herts that do not meet the Planning Definition (2022-37)

Status	2022-37
Do Not Meet Planning Definition	9

Figure 15 – Need for Gypsy and Traveller households in East Herts that do not meet the Planning Definition by year periods<sup>17</sup>

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	5	2	1	1	9

<sup>16</sup> See Paragraph 3.34 for details.

<sup>17</sup> Whilst the PPTS requires a 15-year assessment of need, the figures in the GTANA also include a split to 2033 which is the end of the District Plan period in East Herts.

## Plot Needs – Travelling Showpeople that do not meet the Planning Definition

- 9.6 The total need from Travelling Showpeople in East Herts **that did not meet the planning definition is for 4 plots** over the GTANA period. Analysis of the household interviews indicated that this is made up of 3 teenagers in need of a plot of their own in the next 5 years; and 1 from new household formation derived from the household demographics.
- 9.7 A full summary of this need for households that did not meet the planning definition can be found in **Appendix C** with the headline figures provided below.

**Figure 16 – Need for Travelling Showpeople households in East Herts that do not meet the Planning Definition (2022-37)**

Status	2022-37
Do Not Meet Planning Definition	4

**Figure 17 – Need for Travelling Showpeople households in East Herts that do not meet the Planning Definition by year periods<sup>18</sup>**

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	3	0	1	0	4

<sup>18</sup> Whilst the PPTS requires a 15-year assessment of need, the figures in the GTANA also include a split to 2033 which is the end of the District Plan period in East Herts.

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# Appendix A: Glossary of Terms / Acronyms used

Term / Acronym	Explanation
<b>Amenity block</b>	A building where basic plumbing amenities (bath/shower, WC, sink) are provided.
<b>Bricks and mortar</b>	Mainstream housing.
<b>Caravan</b>	Mobile living vehicle used by Gypsies and Travellers. Also referred to as trailers.
<b>Concealed household</b>	Households, living within other households, who are unable to set up separate family units.
<b>Doubling-Up</b>	Where there are more than the permitted number of caravans on a pitch or plot.
<b>Emergency Stopping Place</b>	A temporary site with limited facilities to be occupied by Gypsies and Travellers while they travel.
<b>Green Belt</b>	A land use designation used to check the unrestricted sprawl of large built-up areas; prevent neighbouring towns from merging into one another; assist in safeguarding the countryside from encroachment; preserve the setting and special character of historic towns; and assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
<b>Household formation</b>	The process where individuals form separate households. This is normally through adult children setting up their own household.
<b>In-migration</b>	Movement of households into a region or community
<b>Local Plans</b>	Local Authority spatial planning documents that can include specific policies and/or site allocations for Gypsies, Travellers and Travelling Showpeople. For East Herts, this is the East Herts District Plan, October 2018
<b>Out-migration</b>	Movement from one region or community in order to settle in another.
<b>Pitch/plot</b>	Area of land on a site/development generally home to one household. Can be varying sizes and have varying caravan numbers. Pitches refer to Gypsy and Traveller sites and Plots to Travelling Showpeople yards.
<b>Private site</b>	An authorised site owned privately. Can be owner-occupied, rented or a mixture of owner-occupied and rented pitches.
<b>Site</b>	An area of land on which Gypsies, Travellers and Travelling Showpeople are accommodated in caravans/chalets/vehicles. Can contain one or multiple pitches/plots.
<b>Social/Public/Council Site</b>	An authorised site owned by either the local authority or a Registered Housing Provider.
<b>Temporary planning permission</b>	A private site with planning permission for a fixed period of time.
<b>Tolerated site/yard</b>	Long-term tolerated sites or yards where enforcement action is not expedient, and a certificate of lawful use would be granted if sought.

<b>Transit provision</b>	Site intended for short stays and containing a range of facilities. There is normally a limit on the length of time residents can stay.
<b>Unauthorised Development</b>	Caravans on land owned by Gypsies and Travellers and without planning permission.
<b>Unauthorised Encampment</b>	Caravans on land not owned by Gypsies and Travellers and without planning permission.
<b>Waiting list</b>	Record held by the local authority or site managers of applications to live on a site/s.
<b>Yard</b>	A name often used by Travelling Showpeople to refer to a site.
<b>GTAA</b>	Gypsy and Traveller Accommodation Assessment
<b>GTANA</b>	Gypsy and Traveller Accommodation Needs Assessment
<b>LPA</b>	Local Planning Authority
<b>DLUHC</b>	Department of Levelling Up Housing and Communities
<b>NPPF</b>	National Planning Policy Framework
<b>ORS</b>	Opinion Research Services
<b>PPG</b>	Planning Practice Guidance
<b>PPTS</b>	Planning Policy for Traveller Sites

# Appendix B: Undetermined Households

Figure 18 – Need for undetermined Gypsy and Traveller households in East Herts (2022-37)

Gypsies and Travellers – Undetermined	Pitches
<b>Supply of Pitches</b>	
Supply from vacant public and private pitches	0
Supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on sites with temporary planning permission	0
In-migration/Roadside	0
New household formation	0
<i>(No undetermined households)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>0</b>

Figure 19 – Need for undetermined Gypsy and Traveller households in East Herts by 5-year periods

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	0	0	0	0	0

Figure 20 – Need for undetermined Travelling Showpeople households in East Herts (2022-37)

Travelling Showpeople – Undetermined	Plots
<b>Supply of Plots</b>	
Supply from vacant public and private plots	0
Supply from plots on new yards	0
Plots vacated by households moving to bricks and mortar	0
Plots vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	0
Households on yards with temporary planning permission	0
In-migration/Roadside	0
New household formation	0
<i>(No undetermined Travelling Showpeople)</i>	
<b>Total Future Needs</b>	<b>0</b>
<b>Net Plot Need = (Current and Future Need – Total Supply)</b>	<b>0</b>

Figure 21 – Need for undetermined Travelling Showpeople households in East Herts by 5-year periods

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	0	0	0	0	0

## Appendix C: Households that did not meet the Planning Definition

Figure 22 – Need for Gypsy and Traveller households in East Herts that did not meet the Planning Definition (2022-37)

Gypsies and Travellers – Not Meeting Planning Definition	Pitches
<b>Supply of Pitches</b>	
Supply from vacant public and private pitches	0
Supply from pitches on new sites	0
Pitches vacated by households moving to bricks and mortar	0
Pitches vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	3
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
Households on waiting lists for public sites	0
<b>Total Current Need</b>	<b>3</b>
<b>Future Need</b>	
5 year need from teenage children	2
Households on sites with temporary planning permission	0
In-migration/Roadside	0
New household formation	4
<i>(Formation from demographics)</i>	
<b>Total Future Needs</b>	<b>6</b>
<b>Net Pitch Need = (Current and Future Need – Total Supply)</b>	<b>9</b>

Figure 23 – Need for Gypsy and Traveller households in East Herts that did not meet the Planning Definition by 5-year periods

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	5	2	1	1	9

Figure 24 – Need for Travelling Showpeople households in East Herts that did not meet the planning definition (2022-37)

Travelling Showpeople – Not Meeting Planning Definition	Plots
<b>Supply of Plots</b>	
Supply from vacant public and private plots	0
Supply from plots on new yards	0
Plots vacated by households moving to bricks and mortar	0
Plots vacated by households moving away from the study area	0
<b>Total Supply</b>	<b>0</b>
<b>Current Need</b>	
Households on unauthorised developments	0
Households on unauthorised encampments	0
Concealed households/Doubling-up/Over-crowding	0
Movement from bricks and mortar	0
<b>Total Current Need</b>	<b>0</b>
<b>Future Need</b>	
5 year need from teenage children	3
Households on yards with temporary planning permission	0
In-migration	0
New household formation	1
<i>(Formation from household demographics)</i>	
<b>Total Future Needs</b>	<b>4</b>
<b>Net Plot Need = (Current and Future Need – Total Supply)</b>	<b>4</b>

Figure 25 – Need for Travelling Showpeople households in East Herts that did not meet the Planning Definition by 5-year periods

Years	0-5	6-10	11-12	13-15	Total
Dates	2022-27	2027-32	2032-34	2034-37	2022 - 37
Need	3	0	1	0	4

# Appendix D: Site and Yard List (April 2022)

Site/Yard	Authorised Pitches or Plots	Unauthorised Pitches or Plots
<b>Public Sites</b>		
None	-	-
<b>Private Sites with Permanent Permission</b>		
Ashview Stables	1	-
Field Farm	6	-
Land off Chapel Lane, Little Hadham (Park Hill View)	10	-
Nine Acres	13	-
The Stables	10	-
Wheelwrights Farm	1	-
<b>Private Sites with Temporary Permission</b>		
None	-	-
<b>Tolerated Sites-Long-term without Planning Permission</b>		
None	-	-
<b>Unauthorised Developments</b>		
Cherry Green Lane	-	2
Elmfield Stables	-	1
Esbies Estate	-	1
Land adjacent to Long Leys Barn	-	1
Plot 64, Mill View Hare Street (The Old Allotment)	-	1
The Stables	-	4
<b>TOTAL PITCHES</b>	<b>41</b>	<b>10</b>
<b>Travelling Showpeople Yards</b>		
Rye House Caravan Park	39	-
<b>TOTAL PLOTS</b>	<b>39</b>	<b>-</b>
<b>TOTAL</b>	<b>80</b>	<b>10</b>

# Appendix E: Household Interview Questions



## GTAA Questionnaire

### Introduction

- 1.1 Good morning/ afternoon My name is [INTERVIEWER] from Opinion Research Services, working on behalf of [CLIENT]
- 1.2 The Council are undertaking a study of Gypsy, Traveller and Travelling Showpeople accommodation needs assessment in this area. This is needed to make sure that accommodation needs are properly assessed and to get a better understanding of the needs of the Travelling Community.
- 1.3 The Council need to try and speak with every Gypsy, Traveller and Travelling Showpeople household in the area to make sure that the assessment of need is accurate.
- 1.4 Your household will not be identified and all the information collected will be anonymous and will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households.

All questions are optional and all information you provide will be processed by ORS in accordance with the Data Protection Act and GDPR. Your responses will be stored and processed electronically and securely. This paper form will be securely destroyed after processing. Your household will not be identified to the council and only anonymous data and results will be submitted, though verbatim comments may be reported in full, and the data from this survey will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households

## General Information

Q1. Name of planning authority.

Q2. Address and pitch number.

Q3. Date of visit.

Q4. Time of visit.

Q5. What is the type of accommodation?

Type of Accommodation	Check only one box
Council	<input type="checkbox"/>
Private rented	<input type="checkbox"/>
Private owned	<input type="checkbox"/>
Unauthorised	<input type="checkbox"/>
Bricks & Mortar	<input type="checkbox"/>

Q6. Name of family.

Q7. Ethnicity of family.

Ethnicity	Check only one box
Romany Gypsy	<input type="checkbox"/>
Irish Traveller	<input type="checkbox"/>
Scots Gypsy or Traveller	<input type="checkbox"/>
Show Person	<input type="checkbox"/>
New Traveller	<input type="checkbox"/>
English Traveller	<input type="checkbox"/>
Welsh Gypsy	<input type="checkbox"/>
Non Traveller	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q8. How many mobile home are on the pitch?

Q9. How many touring caravans are on the pitch?

Q10. How many day rooms are on the pitch?

Q11. Are there any other units on the pitch?

Q12. Is this site your main place of residence?

Q13. If not, where is your main residence?

Q14. How long have you lived here?

Q15. If you have moved within the past 5 years, where did you move from?

Q16. Do you live here out of choice or because there is no other option?

Q17. If yes, why do you feel there is no other choice?

Q18. Is this site suitable for your household?

Q19. If not, why do you feel this site isn't suitable?

### Household Demographics

Q20. How many separate families or single adults live on this pitch?

Q21. Please tell me about the members of your household.

Separate family or single adult	Gender	Age
<b>Person 1 (Interviewee)</b>		
<b>Person 2</b>		
<b>Person 3</b>		
<b>Person 4</b>		
<b>Person 5</b>		
<b>Person 6</b>		
<b>Person 7</b>		
<b>Person 8</b>		
<b>Person 9</b>		
<b>Person 10</b>		

## Accommodation Needs

Q22. How many families or single adults living on this pitch will need a pitch of their own in the next five years?

Q23. How many of your children will need a home of their own in the next 5 years?

Q24. Do the children counted above currently live on this site?

Q25. Would they wish to stay here and, if not, where would they wish to move to?

Q26. Where do they currently live? Would they wish to move to this site or another local site if possible?

## Waiting List

Q27. Is anyone here on the waiting list for a pitch in this area?

Q28. How many people living here are on the waiting list for this area?

Q29. How long have they been on the waiting list?

Length on the waiting list	Check only one box
0 – 3 months	<input type="checkbox"/>
3 – 6 months	<input type="checkbox"/>
6 – 12 months	<input type="checkbox"/>
1 – 2 years	<input type="checkbox"/>
2 or more years	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

Q30. Can you provide any more detail about the people on the waiting list?

Q31. Does anyone here want to be on the waiting list?

Q32. How many people would like to go on the waiting list?

Q33. Can you give me contact details for people wanting to be on the waiting list?

## Future Accommodation Needs

Q34. Do you plan to move from this site in the next five years?

Q35. Why do you plan to move?

Q36. Where do you plan to move to?

Where do you plan to move to?	Check boxes that apply
Another site in this area	<input type="checkbox"/>
A site in another council are	<input type="checkbox"/>
Bricks & Mortar in this area	<input type="checkbox"/>
Bricks & Mortar in another council area	<input type="checkbox"/>
Other (e.g. land they own elsewhere)	<input type="checkbox"/>

Q37. Would you prefer to buy a site or rent on a public or private site?

Type of tenure	Check boxes that apply
Private buy	<input type="checkbox"/>
Private rent	<input type="checkbox"/>
Public rent	<input type="checkbox"/>

Q38. Can you afford to buy a private pitch or site?

Type of tenure	Check only one box
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>

Q39. Are you aware of, or do you own any land that has potential for new pitches?

Q40. Where is the site who owns it?

## Travelling

Q41. How many trips, living in a caravan or a trailer, have you or members of your family made away from your permanent base in the last 12 months?

How many trips taken	Number of trips	Check only one box
Person 1 (Interviewee)	0	<input type="checkbox"/>
Person 2	1	<input type="checkbox"/>
Person 3	2	<input type="checkbox"/>
Person 4	3	<input type="checkbox"/>
Person 5	4	<input type="checkbox"/>
Person 6	5+	<input type="checkbox"/>

Q42. Which family members travelled?

Family who travel	Check boxes that apply
All the family	<input type="checkbox"/>
Adult male	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q43. What were the reasons for travelling?

Reasons for travel	Check boxes that apply
Work	<input type="checkbox"/>
Holidays	<input type="checkbox"/>
Visiting family	<input type="checkbox"/>
Fairs	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q44. At what time of year do you or family members usually travel?

Family who travel	Check boxes that apply
All year	<input type="checkbox"/>
Summer	<input type="checkbox"/>
Winter	<input type="checkbox"/>

Q45. How long do you usually travel for?

Q46. Where do you or family members usually stay when they are travelling?

Places of stay	Check boxes that apply
Local Authority transit sites	<input type="checkbox"/>
Private transit site	<input type="checkbox"/>
Roadside	<input type="checkbox"/>
Friends / Family	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q47. Are there any reasons you don't travel at the moment?

Q48. Have you or family members ever travelled?

Q49. If so, when did you or family members last travel?

Q50. What were the reasons for travelling?

Reasons for travel	Check boxes that apply
Work	<input type="checkbox"/>
Holidays	<input type="checkbox"/>
Visiting family	<input type="checkbox"/>
Fairs	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q51. If you don't travel, why do you not travel anymore?

Reasons for not travelling	Check only one box
Children in school	<input type="checkbox"/>
Ill health	<input type="checkbox"/>
Old age	<input type="checkbox"/>
Settled now	<input type="checkbox"/>
Nowhere to stop	<input type="checkbox"/>
No work opportunities	<input type="checkbox"/>
Other	<input type="checkbox"/>

Q52. Do you or other family members plan to travel in the future?

Q53. When and why do you / they plan to travel?

Q54. Is there anything else you'd like to tell us about your travelling patterns?

### Contact Information

Q55. Is there anything else you'd like to tell us about this site and your accommodation needs?

Q56. Would you like the Council to contact you about your accommodation needs?

Q57. Can I confirm the details they should use to contact you?

Details	Form of contact
<b>Name</b>	
<b>Phone Number</b>	
<b>Email address</b>	

Q59. Are you able to provide the contact details of anyone living in Bricks and Mortar who we should contact for our study?

# Appendix F: Technical Note on Gypsy and Traveller Household Formation and Growth Rates



## **Technical Note**

# **Gypsy and Traveller Household Formation and Growth Rates**

**June 2020**

**Opinion Research Services**



As with all our studies, this research is subject to Opinion Research Services' Standard Terms and Conditions of Contract.

Any press release or publication of this research requires the advance approval of ORS. Such approval will only be refused on the grounds of inaccuracy or misrepresentation.

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# Household Growth Rates

## Abstract and Conclusions

1. National and local household formation and growth rates are important components of Gypsy and Traveller accommodation assessments, but until 2013 little detailed work had been done to assess their likely scale. ORS undertook work in 2013 to assess the likely rate of demographic growth for the Gypsy and Traveller population and concluded that the figure could be as low 1.25% per annum, but that best available evidence supports a national net household growth rate of 1.50% per annum.
2. This analysis was produced as a separate document in 2013 and then updated in 2015 ([www.opinionresearch.co.uk/formation2015](http://www.opinionresearch.co.uk/formation2015)) in light of comments from academics, planning agents and local authorities. The 2015 document was complex because there was still serious dispute as to the level of demographic growth for Gypsies and Travellers in 2015. However, ORS now consider these disputes have largely been resolved at Planning Appeals and Local Plan Examinations, so we consider that much of the supporting evidence is now no longer required to be in the document.
3. This current document represents a shortened re-statement to our findings in 2015 to allow for easier comprehension of the issues involved. It contains no new research and if reader wishes to see further details of the supporting information, they should review the more detailed 2015 report.

## Introduction

4. Compared with the general population, the relative youthfulness of many Gypsy and Traveller populations means that their birth rates are likely to generate higher-than-average population growth, and proportionately higher *gross* household formation rates. However, while their *gross* rate of household growth might be high, Gypsy and Traveller communities' future accommodation needs are, in practice, affected by any reduction in the number of households due to dissolution and/or by movements in/out of the area and/or by transfers into other forms of housing. Therefore, the *net* rate of household growth is the *gross* rate of formation *minus* any reductions in households due to such factors.

## Modelling Population and Household Growth Rates

5. The basic equation for calculating the rate of Gypsy and Traveller population growth seems simple: start with the base population and then calculate the average increase/decrease by allowing for births, deaths, in-/out-migration and household dissolution. Nevertheless, deriving satisfactory estimates is difficult because the evidence is often tenuous – so, in this context in 2013, ORS modelled the growth of the national Gypsy and Traveller population based on the most likely birth and death rates, and by using PopGroup (the leading software for population and household forecasting). To do so, we supplemented the available national statistical sources with data derived from our own surveys.

## Migration Effects

6. Population growth is affected by national net migration and local migration (as Gypsies and Travellers move from one area to another). In terms of national migration, the population of Gypsies and Travellers is relatively fixed, with little international migration. It is in principle possible for Irish Travellers (based in Ireland) to move to the UK, but there is no evidence of this happening to a significant extent and the vast majority of Irish Travellers were born in the UK or are long-term residents.

## Population Profile

7. The main source for the rate of Gypsy and Traveller population growth is the UK 2011 Census. The ethnicity question in the 2011 Census included for the first time 'Gypsy and Irish Traveller' as a specific category. While non-response bias probably means that the size of the population was underestimated, the age profile the Census provides is not necessarily distorted and matches the profile derived from ORS's extensive household surveys.

**Table 1 - Age Profile for the Gypsy and Traveller Community in England (Source: UK Census of Population 2011)**

Age Group	Number of People	Cumulative Percentage
Age 0 to 4	5,725	10.4
Age 5 to 7	3,219	16.3
Age 8 to 9	2,006	19.9
Age 10 to 14	5,431	29.8
Age 15	1,089	31.8
Age 16 to 17	2,145	35.7
Age 18 to 19	1,750	38.9
Age 20 to 24	4,464	47.1
Age 25 to 29	4,189	54.7
Age 30 to 34	3,833	61.7
Age 35 to 39	3,779	68.5
Age 40 to 44	3,828	75.5
Age 45 to 49	3,547	82.0
Age 50 to 54	2,811	87.1
Age 55 to 59	2,074	90.9
Age 60 to 64	1,758	94.1
Age 65 to 69	1,215	96.3
Age 70 to 74	905	97.9
Age 75 to 79	594	99.0
Age 80 to 84	303	99.6
Age 85 and over	230	100.0

## Birth and Fertility Rates

8. The table above provides a way of understanding the rate of population growth through births. The table shows that surviving children aged 0-4 years comprise 10.4% of the Gypsy and Traveller population – which means that, on average, 2.1% of the total population was born each year (over the last 5 years). The same estimate is confirmed if we consider that those aged 0-14 comprise 29.8% of the Gypsy and Traveller population – which also means that almost exactly 2% of the population was born each year.
9. The total fertility rate (TFR) for the whole UK population is just below 2 – which means that on average each woman can be expected to have just less than two children who reach adulthood. We know of only one estimate of fertility rates of the UK Gypsy and Traveller community, in *'Ethnic identity and inequalities in*

*Britain: The dynamics of diversity* by Dr Stephen Jivraj and Professor Ludi Simpson (published May 2015). The authors use the 2011 Census data to estimate the TFR for the Gypsy and Traveller community as 2.75.

10. ORS used our own multiple survey data to investigate the fertility rates of Gypsy and Traveller women. The ORS data shows that on average Gypsy and Traveller women aged 32 years have 2.5 children (but, because the children of mothers above this age point tend to leave home progressively, full TFRs were not completed). On this basis it is reasonable to infer an average of 3 children per woman during her lifetime, which is broadly consistent with the estimate of 2.75 children per woman derived from the 2011 Census.

## Death Rates

11. Although the above data imply an annual growth rate through births of about 2%, the death rate has also to be taken into account. Whereas the average life expectancy across the whole population of the UK is currently just over 80 years, a Sheffield University study found that Gypsy and Traveller life expectancy is about 10-12 years less than average (Parry et al (2004) *'The Health Status of Gypsies and Travellers: Report of Department of Health Inequalities in Health Research Initiative'*, University of Sheffield).
12. Therefore, in our population growth modelling we used a conservative estimate of average life expectancy as 72 years – which is entirely consistent with the lower-than-average number of Gypsies and Travellers aged over 70 years in the 2011 Census (and also in ORS's own survey data).

## Modelling Outputs

13. If we assume a TFR of 3 and an average life expectancy of 72 years for Gypsies and Travellers, then the modelling, undertaken in PopGroup, projects the population to increase by 66% over the next 40 years – implying a population compound growth rate of 1.25% per annum. If we assume that Gypsy and Traveller life expectancy increases to 77 years by 2050, then the projected population growth rate rises to nearly 1.50% per annum. To generate an 'upper range' rate of population growth, we assumed an implausible TFR of 4 and an average life expectancy rising to 77 over the next 40 years – which then yields an 'upper range' growth rate of 1.90% per annum.

## Household Growth

14. In addition to population growth influencing the number of households, the size of households also affects the number. Hence, population and household growth rates do not necessarily match directly, mainly due to the current tendency for people to live in smaller childless or single person households.
15. Because the Gypsy and Traveller population is relatively young and has many single parent households, a 1.25%-1.50% annual population growth could yield higher-than-average household growth rates, particularly if average household sizes fall or if younger-than-average households form. However, while there is evidence that Gypsy and Traveller households already form at an earlier age than in the general population, the scope for a more rapid rate of growth, through even earlier household formation, is limited.
16. Based on the 2011 Census, the table below compares the age of household representatives in English households with those in Gypsy and Traveller households – showing that the latter has many more household representatives aged under-25 years. In the general English population 3.60% of household representatives are aged 16-24, compared with 8.70% in the Gypsy and Traveller population. ORS's survey data shows that about 10% of Gypsy and Traveller households have household representatives aged under-25 years.

Table 2 - Age of Head of Household (Source: UK Census of Population 2011)

Age of household representative	Number of households - England	Percentage households - England	Number of households – Gypsy and Traveller	Percentage households – Gypsy and Traveller
Age 24 and under	790,974	3.6%	1,698	8.7%
Age 25 to 34	3,158,258	14.3%	4,232	21.7%
Age 35 to 49	6,563,651	29.7%	6,899	35.5%
Age 50 to 64	5,828,761	26.4%	4,310	22.2%
Age 65 to 74	2,764,474	12.5%	1,473	7.6%
Age 75 to 84	2,097,807	9.5%	682	3.5%
Age 85 and over	859,443	3.9%	164	0.8%
<b>Total</b>	<b>22,063,368</b>	<b>100%</b>	<b>19,458</b>	<b>100%</b>

17. The following table shows that the proportion of single person Gypsy and Traveller households is not dissimilar to the wider population of England; but there are more lone parents, fewer couples without children, and fewer households with non-dependent children amongst Gypsies and Travellers

Table 3 - Household Type (Source: UK Census of Population 2011)

Household Type	Number of households - England	Percentage households - England	Number of households – Gypsy and Traveller	Percentage households – Gypsy and Traveller
Single person	6,666,493	30.3%	5,741	29.5%
Couple with no children	5,681,847	25.7%	2345	12.1%
Couple with dependent children	4,266,670	19.3%	3683	18.9%
Couple with non-dependent children	1,342,841	6.1%	822	4.2%
Lone parent: Dependent children	1,573,255	7.1%	3,949	20.3%
Lone parent: All children non-dependent	766,569	3.5%	795	4.1%
Other households	1,765,693	8.0%	2,123	10.9%
<b>Total</b>	<b>22,063,368</b>	<b>100%</b>	<b>19,458</b>	<b>100%</b>

18. The key point, though, is that since 20% of Gypsy and Traveller households are lone parents with dependent children, and up to 30% are single persons, there is limited potential for further reductions in average household size to increase current household formation rates significantly – and there is no reason to think that earlier household formations or increasing divorce rates will in the medium term affect household formation rates. While there are differences with the general population, a 1.25%-1.50% per annum Gypsy and Traveller population growth rate is likely to lead to a household growth rate of 1.25%-1.50% per annum

## Summary Conclusions

19. The best available evidence suggests that the net annual Gypsy and Traveller household growth rate is 1.50% per annum. Some local authorities might allow for a household growth rate of up to 2.50% per annum, to

provide a 'margin' if their populations are relatively youthful; but in areas where on-site surveys indicate that there are fewer children in the Gypsy and Traveller population, lower estimates should be used.

20. The outcomes of this Technical Note can be used to provide an estimate of local new household formation rates by adjusting the upper national growth rate of 1.50% based on local demographic characteristics.
21. In addition, in certain circumstances where the numbers of households and children are higher or lower than national data has identified, or the population age structure is skewed by certain age groups, it may not be appropriate to apply a percentage rate for new household formation. In these cases, a judgement should be made on likely new household formation based on the age and gender of the children identified in local household interviews. This should be based on the assumption that 50% of households likely to form will stay in any given area and that 50% will pair up and move to another area, while still considering the impact of dissolution. This is based on evidence from over 140 GTAA's that ORS have completed across England and Wales involving over 4,300 household interviews.

# Agenda Item 11

## **East Herts Council Report**

### **Executive**

**Date of Meeting: 12 July 2022**

**Report by: Cllr Goodeve, Executive Member for Planning and Growth**

**Report title: Bishop's Stortford 1<sup>st</sup> Revision Neighbourhood Plans (2021- 2033) - Adoption**

**Ward(s) affected: Bishop's Stortford wards of Silverleys and Meads, All Saints, Central and South. Part of the Thorley Parish (area included in the District Plan allocation BISH5- Bishop's Stortford South)**

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### **Summary**

- This report proposes to agree the recommendations as made by the independent examiner of the two Bishop's Stortford Neighbourhood Plan Reviews and to make the decision that both Plans are adopted, subject to a limited number of recommended modifications. These revisions will replace the existing 'made' plans. The examiner concluded that the revisions to both the previous 'made' plan for Silverleys and Meads ward and the previous 'made' plan for All Saints, Central, South and Parts of Thorley Parish did not change the nature of the plans, so referendums were not required.

### **RECOMMENDATIONS FOR Executive to recommend to Council:**

- (a) The recommendations and modifications made by the Independent Examiner of the two Bishop's Stortford Neighbourhood Plan Revisions, as detailed in Appendix A to this report, be received and considered;**
- (b) The Bishop's Stortford Neighbourhood Plan for Silverleys and Meads wards (1st Revision) 2021- 2033, as detailed at Appendix B to this report, be formally 'made'; and**

- (c) The Bishop’s Stortford Neighbourhood Plan for All Saints, Central, South and Parts of Thorley (1st Revision) 2021-2033, as detailed at Appendix C to this report, be formally ‘made’.**

## **1.0 Proposal(s)**

- 1.1 The Neighbourhood Planning Act 2017 (Schedule A2) identifies the process for reviewing ‘made’ neighbourhood plans. Bishop’s Stortford Town Council (the qualifying body) has undertaken a review of the two neighbourhood plans in the town: Silverleys and Meads Neighbourhood Plan 1<sup>st</sup> Revision and All Saints, Central, South and Parts of Thorley 1<sup>st</sup> Revision.
- 1.2 The two Neighbourhood Plans are closely integrated so have been examined together by one independent examiner between March and May 2022. Part 1 of each plan contains an introduction and site specific polices and part 2 is titled site independent policies and relates to the entire respective plan area. Part 2 of each Neighbourhood Plan is materially identical.
- 1.3 National Planning Guidance<sup>1</sup> explains that there are three types of modification which can be made to a neighbourhood plan:
- a. Minor modifications, which do not materially affect the policies in the plan;
  - b. Material modifications which do not change the nature of the plan or order would require examination but not a referendum;
  - c. Material modifications which do change the nature of the plan or order would require examination and a referendum. For example, significant new sites for development.
- 1.4 The decision whether the proposed modifications change the nature of the plan is made by the independent examiner. The examiner of the two Bishop’s Stortford Neighbourhood Plans decided both plans followed the modification route b) so a

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<sup>1</sup> NPPG Neighbourhood Planning Paragraph 106 (Reference ID: 41-106-20190509)

referendum would not be necessary for either plan. He recommends that the Council 'Make' the plans, subject to limited modifications, to ensure compliance with the Basic Conditions.

## **2.0 Background**

- 2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East Herts, Parish or Town Councils are qualifying bodies able to produce a Neighbourhood Plan. The Neighbourhood Planning Act 2017 (Schedule A2) identifies the circumstances that can arise as qualifying bodies seek to review made neighbourhood plans. This new Schedule to the Planning and Compulsory Purchase Act 2004 Section 38A (11A) introduces a process for the modification of neighbourhood plans.
- 2.2 Bishop's Stortford Town Council submitted a request for the Neighbourhood Area Designation of Silverleys and Meads wards in July 2012 which was agreed on December 4<sup>th</sup> 2012. The original Neighbourhood Plan for Silverleys and Meads wards was subsequently 'made' in July 2015. The Town Council submitted a request for the Neighbourhood Area Designation of All Saints, Central and South wards and the part of Thorley parish included in the District Plan site allocation at Bishop's Stortford South, in March 2014. This was agreed on 5<sup>th</sup> July 2014 and the plan was subsequently 'made' in October 2017.
- 2.3 Bishop's Stortford Town Council decided to undertake a limited review of both plans in 2020, to bring them up to date in light of the adoption of the District Plan and changes to national and local policy. The modifications to the plans include new sections on climate change and the town centre; revisions to the green infrastructure and transport sections; updates to the site-specific

policies and other minor policy changes to ensure that policies (except site-specific policies) are the same for the whole town.

- 2.4 The Town Council undertook pre-submission consultation between February and March 2021 and submitted both revisions to the town's Neighbourhood Plans in November 2021. Following this, an eight week consultation took place between 29<sup>th</sup> November and 24<sup>th</sup> January 2022.
- 2.5 East Herts Council and Bishop's Stortford Town Council appointed an Independent Examiner (IE), Christopher Lockhart-Mummery, through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). A neighbourhood plan can either be considered at a public hearing or through independent examination of written representations. In this case it was determined that a public hearing of the neighbourhood plans was not necessary. Given the inter-related nature of the Neighbourhood Plans they were both examined by the same independent examiner.
- 2.6 The IE assessed the plan against a set of criteria (further details below) and considered the nature of the proposed modifications to the previously 'made' plans. The Council received the final reports from the IE on 16<sup>th</sup> May 2022. To avoid substantial duplication the examiner combined the reports for each Neighbourhood Plan into one consolidated document. The IE concludes that the nature of the revisions for each plan do not require referendums and subject to a limited number of recommended modifications each Neighbourhood Plan complies with the Basic Conditions and other statutory requirements. He recommends that the Council 'make both Neighbourhood Plans subject to the modifications specified in the report.

### **3.0 Reasons**

#### **Independent Examination:**

- 3.1 The IE commends the Plans for being clear, well presented and with very few exceptions, well-evidenced.

- 3.2 As noted in the summary section of the IE's report, it was necessary to make some modifications in order to ensure the plans meet the basic conditions. A neighbourhood plan meets the basic conditions if:
- The plan has regard to national planning policies and advice contained in guidance issued by the Secretary of State;
  - The making of the plan contributes to the achievement of sustainable development;
  - The making of the plan is in general conformity with the strategic policies of the development plan;
  - The making of the plan does not breach, and is otherwise compatible with, European Union obligations;
  - Prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
- 3.3 The IE has recommended a number of modifications to correct errors and to ensure the plans meet these basic conditions. Modifications update the plan to reflect changes to national policy; update the site-specific policies to reflect the granting of planning permission; reword policy and supporting text to ensure consistency with District Plan policies and to ensure they have adequate regard to national policy and the interests of sustainable development. The IE concludes in paragraph 85 of the report, that the plans are of very high standard and with the modifications the draft Neighbourhood Plans will both meet all the basic conditions and human rights obligations. He recommends that subject to those modifications, East Herts Council 'makes' the two plans and has also reached the decision that the review of the plans do not require referendums.
- 3.4 The IE's report can be viewed at Appendix A. All recommended modifications have been made to the plan alongside a small number of consequential amendments resulting from the aforementioned modifications such as numbering and

typographical corrections. This is in line with the approach the IE has recommended in paragraph 86 of his report.

## **Adoption**

- 3.5 Officers- in discussion with the Town Council- have reviewed the recommendations within the Independent Examiner's Report and the reasons for them, and are happy that the recommendations set out will ensure that the two 1<sup>st</sup> revision neighbourhood plans meets the basic conditions. In accordance with the 2004 Act Schedule paragraph 14, it is recommended that the decision is taken to 'make' both neighbourhood plans, subject to the modifications proposed by the IE.
- 3.6 There are narrow circumstances where the local planning authority is not required to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see paragraph 14 (4) of Schedule A2).
- 3.5 The two Neighbourhood Plans do not breach the aforementioned obligations.
- 3.6 Once they are made the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads and the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Parts of Thorley will replace the previous made neighbourhood plans for the town and form part of the development plan for East Herts. As such any planning applications within the two Neighbourhood Areas will be assessed by the relevant neighbourhood plan alongside the current East Herts District Plan 2018 policies, the National Planning Policy Framework (NPPF) and all other material planning considerations.
- 3.7 It is considered that both the Bishop's Stortford Neighbourhood Plans positively contribute to the East Herts Development

Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plans can proceed to be formally 'made'.

- 3.8 The final version of the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads wards can be found in Appendix B. The final version of the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Parts of Thorley can be found in Appendix C.

#### **4.0 Options**

- 4.1 The Council is permitted, in narrow circumstances only to not make a modification neighbourhood plan. this is when it is in breach or incompatible with any EU or human rights obligations (see Schedule A2 14 (4) of the Planning and Compulsory Purchase Act 2004).

#### **5.0 Risks**

- 5.1 If the Neighbourhood Plan does not proceed to be formally 'made' then the Council wouldn't be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

#### **6.0 Implications/Consultations**

- 6.1 The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

#### **Community Safety**

No

#### **Data Protection**

No

## **Equalities**

No

## **Environmental Sustainability**

The two Bishop's Stortford Neighbourhood Plans have been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment are required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

## **Financial**

It is the responsibility of the LPA to cover examination costs.

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

The Council must make a decision under section Schedule A2 of the 2004 Act.

## **Specific Wards**

Bishop's Stortford wards of Silverleys and Meads, All Saints, Central and South. Part of the Thorley Parish (area included in the District Plan allocation BISH5- Bishop's Stortford South). The Local Government Boundary Commission for England is currently undertaking an electoral review of the District. This will result in the boundaries of most wards changing. The Neighbourhood Plan Area Designations will however remain in place until such time that a further review or update of the Neighbourhood Plan/s is undertaken.

### **7.0 Background papers, appendices and other relevant material**

7.1 Appendix A: Examiner's Report May 2022

7.2 Appendix B: Bishop's Stortford Town Council's Neighbourhood Plan for Silverleys and Meads wards.

7.3 Appendix C: Bishop's Stortford Town Council's Neighbourhood Plan for All Saints, Central, South and Parts of Thorley.

### **Contact Member**

Cllr Jan Goodeve – Executive Member for Planning and Growth

[jan.goodeve@eastherts.gov.uk](mailto:jan.goodeve@eastherts.gov.uk)

Cllr Linda Haysey- Leader of the Council

[linda.haysey@eastherts.gov.uk](mailto:linda.haysey@eastherts.gov.uk)

### **Contact Officer**

Sara Saunders – Head of Planning and Building Control

Contact Tel No 01992 531656

[sara.saunders@eastherts.gov.uk](mailto:sara.saunders@eastherts.gov.uk)

### **Report Author**

Laura Guy– Principal Planning Officer (Policy & Implementation)

[laura.guy@eastherts.gov.uk](mailto:laura.guy@eastherts.gov.uk)

**BISHOP'S STORTFORD TOWN COUNCIL NEIGHBOURHOOD PLAN FOR  
SILVERLEYS AND MEADS WARDS (1st REVISION) 2021-2033**

**BISHOP'S STORTFORD TOWN COUNCIL NEIGHBOURHOOD PLAN FOR ALL  
SAINTS, CENTRAL, SOUTH AND PART OF THORLEY  
(1st REVISION) 2021-2033**

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REPORT

By  
**Christopher Lockhart-Mummery QC**

**Independent Examiner  
May 2022**

## **SUMMARY**

This combined Report relates to two closely integrated Neighbourhood Plans, the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards (1<sup>st</sup> Revision) 2021-2033 and Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and Part of Thorley (1<sup>st</sup> Revision) 2021-2033.

The Neighbourhood Plan areas are two extensive and contiguous areas comprising the whole of the civil parish of Bishop's Stortford, the largest town in the East Herts District Council area, and parts of Thorley Parish. Bishop's Stortford has an important sub-regional role, and is designated in the East Herts District Plan (October 2018) as a Principal Town Centre. Within the Neighbourhood Plan areas are a number of sites subject to significant allocations in the District Plan. One of the primary tasks of the Neighbourhood Plans is, consistent with the District Plan allocations, to set out locally based policies for their successful development.

Each Neighbourhood Plan is in two parts. Part 1 contains an Introduction and Site Specific Policies. Part 2 is titled Site Independent Policies, and relates to the entire respective plan area. Part 2 of each Neighbourhood Plan is materially identical.

In the case of each Neighbourhood Plan the qualifying body – Bishop's Stortford Town Council – contended that the modifications to the previously made Plans were material but did not change the nature of the plan. The Report sets out my agreement with this assessment. In neither case would a referendum be necessary.

The examination was conducted by consideration of all the relevant documents only. I concluded that the exceptional circumstances for the holding of a hearing did not exist.

Each Neighbourhood Plan was subject to extensive public engagement and consultation.

I find that each Neighbourhood Plan is, with very few exceptions, well-evidenced, clear, well presented and promises to provide an important addition to the development plan for the area.

Subject to a limited number of recommended modifications, I find that each Neighbourhood Plan complies with the Basic Conditions and other statutory requirements. I therefore conclude and Recommend that East Herts District Council should make both Neighbourhood Plans subject to the modifications specified in the Report.

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### **Introduction**

1. I was appointed by East Herts District Council (the DC) with the support of the qualifying body, Bishop's Stortford Town Council (the TC) to undertake the independent examination of the submission drafts of the Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards (1<sup>st</sup> Revision) 2021-2033 and Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and Part of Thorley (1<sup>st</sup> Revision) 2021-2033. These Plans are both revisions of previously made plans.
2. I am a Queen's Counsel with over 40 years' experience in planning law and practice. I am a member of the NPIERS Panel of Independent Examiners. I am independent of any local connections and have no conflict of interest.

### **Background to Submission Neighbourhood Plan Revision**

3. Bishop's Stortford is the largest town in the District with an important sub-regional role, underpinned by good transport links. It is designated as a Principal Town Centre. The town is unusual in East Herts in having several remaining brownfield redevelopment opportunities, although the scale of housing need in the local area also necessitates the provision of urban extensions on land adjoining the town (DP 5.1.1).
4. Paragraph 5.2.1 of the East Herts District Plan (the DP) notes that there are two Neighbourhood Plans covering the area. The Silverleys and Meads Plan was made in July 2015 with a plan period of 2014-2031. The All Saints, Central, South and Part of Thorley Plan was made in October 2017 with a plan period of 2016-2032.
5. The DP was adopted by the DC in October 2018, with a plan period of 2011-2033. Chapter 5 is devoted to Bishop's Stortford.
6. Policy BISH1 sets out overall provisions for development in Bishop's Stortford. BISH2 anticipates a Town Centre Planning Framework – this was published in March 2017 and approved by the DC in July 2017. BISH2

provides for a minimum of 2,529 homes at Bishop's Stortford North. BISH4 provides for some 247 homes at land south of Hadham Road. BISH5 provides for some 750 homes at Bishop's Stortford South. BISH6 provides for some 150 homes at the Bishop's Stortford High School site, contingent on secondary school capacity being provided elsewhere. BISH7 provides for some 600 homes and other uses in the period 2011-2027 at The Goods Yard. BISH8 provides for some 100 homes and other uses at Old River Lane. BISH9 provides for some 50 dwellings by 2022 at East of Manor Links.

7. Chapter 19 of the DP (paragraph 19.3.1) recognises the potential designation under the NPPF of land as Local Green Space. Policy CFLR2 Local Green Space provides that: *Development will be permitted only if it is consistent with the function, character and use of the Local Green Space to which it relates.*
8. The two submitted plans have been prepared in very close alignment with each other. Each is presented in two Parts. Part 1 contains an Introduction and Site Specific Policies. Part 2 is titled Site Independent Policies, and relates to the entire respective plan area. Part 2 of each plan is materially identical. Each plan has a plan period of 2021-2033. The plan for Silverleys and Meads Wards (1<sup>st</sup> Revision) is referred to in this report as SMNP2. The plan for All Saints Central, South and Part of Thorley is referred to as ACSTNP2.
9. Both the local planning authority (the DC) and the qualifying body (the TC) considered it sensible, as do I, that in view of the very large measure of commonality between the two plans, a single examiner be appointed. Acknowledging that statute requires that an examiner's report be prepared and submitted in relation to each Neighbourhood Plan, I also thought it sensible – to avoid very substantial duplication – to combine both reports in this single, consolidated document. Any person with an interest in one of the plans only will have no difficulty in accessing the relevant part(s) of this report, and the Contents sheet will assist.

### **Consultation**

10. Consultation was carried out in relation to what was described as the Neighbourhood Plan for Bishop's Stortford and part of Thorley Parish (1<sup>st</sup> Revision), i.e. as if both plans effectively formed one plan. This seems to me to have been a sensible decision. As a result, a single Consultation Statement Summary with two Appendices, was prepared. Reference can be made to the CS with the details of the consultation.
11. I am satisfied that, despite constraints imposed by Covid, the TC went to extensive lengths to engage interested parties, and that the consultation was more than adequate.
12. Regulation 16 consultation was carried out for each plan between 29 November 2021 and 24 January 2022. Twelve representations were made in relation to SMNP2. Twenty three representations were made in relation to ACSTNP2. I have taken them all into account. In this report I respond to those representations which, in my view, are directed to the statutory tests and call for a recommended Modification.

### **Overview of SMNP2**

13. Part 1 contains two aspects. First, under the heading S11 it specifies the “designated locations” referred to in Policies GIP2 a) and c) and TP4 h) of Part 2. These deal (respectively) with local green spaces, other green areas, and proposals for enhanced movement for pedestrians and cyclists in the town (including the Town Centre). Second, it proposes a Policy, ORL1 relating to a proposed SPD for The Old River Lane site in the town centre.
14. The principal changes proposed in Part 2 (almost entirely in common with ACSTNP2) are as follows:
  - (1) The addition of 4 policies (CC1-CC4) in relation to Climate Change.
  - (2) In section 3.2, relatively minor changes to Housing and Design policies (HDP).

- (3) In section 3.4, modifications in relation to Green Infrastructure policies (GIP1-GIP8) which includes the designation of local green spaces and other green areas referred to above.
- (4) In section 3.5 and 3.6 modifications in relation to Transport and Education which strengthen and update policies in the made plan.

### **Overview of ACSTNP2**

- 15. Part 1 has the same format as SMNP2. Under GIP2 it proposes the designation of 26 local green spaces and 13 other green areas referred to in GIP2 a) and c) in Part 2. Under TP4 it proposes to describe nine matters to improve transport accessibility (especially for pedestrians and cyclists). Under TP6 it specifies locations for improvements to school travel.
- 16. In section 3.2 it proposes detailed policies, GY1-GY6, for the development of The Goods Yard site allocated for development by policy BISH7 of the CP.
- 17. Section 3.3 proposes policies, BSS1-BSS5, for the delivery of the DP allocation BISH5, Land South of Bishop's Stortford.
- 18. Sections 3.4 and 3.5 similarly relate to the delivery of the DP allocation at the Bishop's Stortford High School site, and East of Manor Links.
- 19. As already noted, Part 2 is very largely a mirror image of Part 2 of SMNP2.

### **Statutory requirements in relation to a Revision NP**

- 20. Section 38A(11A) of the Planning and Compulsory Purchase Act 2004 provides that Schedule A2 applies provisions for the modification of a neighbourhood development plan.
- 21. The relevant provisions of Schedule A2 are as follows. Paragraph 1 provides that a qualifying body can submit a proposal to the local planning authority for the modification of a neighbourhood development plan. Paragraph 7 provides that it applies if "(c) the authority consider that the modifications contained in

the draft plan to which it relates are so significant or substantial as to change the nature of the neighbourhood development plan which the draft plan would replace”. If that is the position, the authority must consider the plan under the provisions of Schedule 4B that apply to an original neighbourhood plan (including referendum). Paragraph 10 provides that the matter referred to above is the first matter for the examiner to determine. Paragraph 11 provides that if the determination is made that the modifications are not such as to change the nature of the plan, “...the examiner must consider the following –

- (a) whether the draft plan meets the basic conditions (see sub-paragraph (2));
- (b) whether the draft plan complies with the provision made by or under sections 38A and 38B;
- (c) such other matters as may be prescribed”.

Paragraph 11(2) provides that a draft plan meets the basic conditions if –

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,
- (b) the making of the plan contributes to the achievement of sustainable development,
- (c) the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- (d) the making of the plan does not breach, and is otherwise compatible with EU obligations, and
- (e) prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.

Paragraph 11(3) provides: “The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft plan is compatible with the Convention rights)”.

22. Paragraph 12 provides that a hearing is only required “in any case where the examiner considers that there are exceptional reasons for doing so”.
23. Paragraph 13 provides for the examiner’s report.
24. Paragraph 14 provides that if the examiner recommends that the local planning authority should make the draft plan – with or without modifications – the authority must make the plan. In other words, there is no provision for a referendum.

**Are the Revisions so significant or substantial as to change the nature of either NP?**

25. PPG advises that in making this decision the examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority. It is also suggested that allocating significant new sites for development might require both examination and a referendum.
26. In the case of each plan, the TC provided, pursuant to statutory requirements, a Statement of Significant Changes which concluded that in each case the modifications were more significant than “minor (non-material) modifications”, less significant than “material modifications which change the nature of the plan”, but rather that they are material modifications which are not so significant or substantial as to change the nature of either plan. They gave detailed reasons. No new development allocations are made (as opposed to policies for the detailed delivery of the DP allocations). Without the need to recite the reasons given by the TC, I am in agreement with them. I notified the TC and DC of this agreement by email dated 1 April 2022. Accordingly, the plans require examination but not referendum.

**Consideration of statutory requirements**

27. I have set out the relevant terms of Schedule A2 above. The statutory tests relate to “whether the draft plan” meets the statutory requirements. Paragraph 11(3) provides that the “draft plan” means “a draft of the neighbourhood development plan as proposed to be modified”. In other words, the examiner is to consider whether the proposed Modifications meet the statutory tests. Accordingly, this examination and my report will consider the Modifications only.
28. Paragraph 11(3) is of wider importance for this – and, indeed, any – examination. Unlike, for example, the examination of a local plan, the role of the examiner is confined as above. Thus a point made in a representation might be sensible, arguably make the NP a “better” plan, but is only to be considered in this examination in accordance with the statutory tests.

**Other statutory requirements**

29. These are set out in the Town and Country Planning Act 1990 (as amended) and sections 38A-38C of the Planning and Compulsory Purchase Act 2004.
30. The NP was prepared and submitted for examination by a qualifying body: section 38A.
31. Each plan has been prepared for an area designated under section 61G of the 1990 Act.
32. Each NP meets section 38A(2) in that it sets out policies in relation to the development and use of land in each neighbourhood area.
33. Each NP meets the requirements of section 38B – it specifies the period for which it is to have effect, it does not include provisions about development which is an excluded development, and does not relate to more than one neighbourhood area.

34. On 20 October 2021 the DC advised the TC in relation to each plan that (1) SEA was not required as each plan was unlikely to have significant environmental effects and (2) each plan was unlikely to have a significant effect upon a Natura 2000 designation and therefore did not require an HRA.
35. I accept that each plan had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

#### **The Examination process**

36. I was appointed in March 2022 and the examination formally commenced on 21 March. I was supplied by the DC (in electronic and physical form) with all the submission and background documents, together with the regulation 16 representations. I confirm that I have read all such documents.
37. I carried out an unaccompanied site visit to the town on 3 May 2022.
38. I did not consider that there were any exceptional circumstances to justify a hearing, and communicated that decision to the TC and DC on 13 April 2022.
39. I found that I had a limited number of queries. These were dealt with by emails in April 2022. They are publicly available on the relevant websites.

#### **Consideration of proposed Revisions**

40. The task of the examiner is to assess the compliance of the plans with the Basic Conditions and other statutory requirements. I cannot make any recommendation in relation to any other matter: paragraph 13(3) Schedule A2, Planning and Compulsory Purchase Act 2004. This is important. In a number of representations there are suggestions that changes should be made (e.g. the addition of one or more local green spaces) which may well have merit. But my role is more limited, as set out above.
41. I now turn to that task in relation to each plan. Where I am silent as to any part of either plan, that indicates that I have no concern as to compliance.

42. I wish to pay tribute to all those involved in the drafting of both plans. I find that, with very few exceptions, the contents of both are well-evidenced, clear, well presented and promise to make an important addition to the development plan for the area. This enables this report to be much more concise than otherwise would be the case.
43. Both plans refer to the relevant paragraphs of the NPPF 2019. All these should be updated by reference to the NPPF 2021. Further, a number of policies have a sub-paragraph a) only. These references should be deleted, and I so **Recommend**.

## **SMNP2**

### **Part 1**

44. Paragraph 1.2.1.4 states that a Neighbourhood Plan cannot “... or amend the boundaries of the Green Belt”. This is incorrect: NPPF 140. I **Recommend** that this phrase be deleted.
45. I have considered each of the proposed local green spaces (LGS) designated under Part 2 of policy GIP2 and listed on page 12 of Part 1. Each is shown on Policy Maps and its character and special value described in paragraph 6.3. I have no reason to doubt that each fulfils the criteria in paragraph 102 of NPPF. I deal under Part 2 with the appropriateness of the relevant policy in GIP2 a).
46. Page 12 of Part 1 also lists four “other green areas” which are engaged by policy GIP2 c) in Part 2. These are likewise described in paragraph 6.3. I have no reason to doubt that these are appropriately designated.
47. Policy ORL1 – Old River Lane – requests that there should be an SPD in relation to the site. This policy is not a land use policy, but a plea to the DC to formulate an SPD. It therefore does not comply with section 38A of the 2004 Act. I **Recommend** that policy ORL1 be deleted and replaced with the following lower case text: *It is desirable that development of Old River Lane should be informed by a Supplementary Planning Document (SPD) and the*

*District Council are encouraged to prepare such a document. Once adopted it will be a material consideration in the determination of planning applications for the site.*

The reference to paragraph 3.2 in the Contents on page 2 should be **deleted**.

## **ACSTNP**

### **Part 1**

48. Paragraph 1.2.1.4 is incorrect, and I make the same **Recommendation** as in paragraph 44 above.
49. Paragraph 2.3.1 contains text in relation to The Goods Yard. I **Recommend** that an additional paragraph be added as 2.3.1.3 to reflect the fact that planning permission (outline and detailed) has been granted for a major comprehensive scheme. Relevant policies are set out in section 3.2, considered below.
50. Paragraph 2.3.2 also needs updating, to reflect the position in relation to the grant of planning permission. It should state that relevant policies are set out in section 3.3: I so **Recommend**.
51. Paragraph 2.3.3 refers to the Bishop's Stortford High School site. To ensure that the plan is up-to-date I **Recommend** that paragraph 2.3.3.1 should be deleted and replaced by: *Bishop's Stortford High School is bounded by existing housing estates on three sides and the main London Road on the other. Bishop's Stortford High School is moving to a new site on the development at Bishop's Stortford South. The District Plan provides for the vacated site to be redeveloped with around 150 new homes. Plans for the development have received a resolution to grant outline planning permission at Development Management Committee on 4 November 2020 for up to 223 dwellings under application reference 3/18/2253/OUT.*

Paragraph 2.3.3.2 should be **deleted**.

52. Paragraph 2.3.4 refers to the East of Manor Links site. Planning permission for residential development was granted in February 2021, and construction has begun. However, the development is currently at an early stage. That being so, the cautious approach is for the text at 2.3.4 to incorporate a note (such as: *Planning permission for residential development was granted in February 2021 [3/20/0245/FUL]*, and for the time being to retain the objective in paragraph 2.3.4.3. For consistency, the policy section applicable to this site (paragraphs 3.5.3-3.5.3) should remain, but with the addition of a note along the same lines as above. I so **Recommend**.
53. Policy SII firstly designates 26 LGS (some carried forward from the 2016 plan). I therefore address only those which are newly proposed. I find that with two exceptions I have no reason to doubt that these sites meet the NPPF criteria. However site 4 Southern Country Park (already Green Belt) comprises 23.6 hectares. I find that this is an “extensive tract of land” (NPPF 102c) and should be deleted. For the same reason, site 26 Fish Ponds (also Green Belt) should be deleted, and I so **Recommend**.
54. In relation to other green spaces (GIP2 c)) I have no reason to doubt the designation of these areas.
55. Section 3.2 addresses The Goods Yard. The contents of section 3.2 are, in practical terms, likely to be superseded as a result of the grant in July 2018 of planning permission for comprehensive redevelopment.
56. To ensure that the plan is up-to-date, after paragraph 3.2.1.2 I **Recommend** the addition of a new paragraph (with subsequent paragraphs re-numbered) as follows: *In July 2018 planning permission (in part outline, in part full) was granted for a major comprehensive mixed use scheme, including around 600 residential units. Development is under way on parts of the site. The remainder of this section was drafted at an earlier stage. Owing to a number of changes in circumstances, a revised Masterplan has been prepared, and*

*adopted by the DC in March 2022. The revised scheme will need to be the subject of further planning permission(s). It therefore makes sense for the time being for the contents of section 3.2 to be retained.*

57. I also **Recommend** that, since paragraph 3.2.3.6 is so out of date, it should be **deleted**.
58. Section 3.3 addresses Land South of Bishop’s Stortford. Contrary to national policy and guidance, much of policy BSS1 is unnecessary and repetitive. Any material change to the existing outline planning permission would require the approval of a revised Masterplan (and possibly environmental and transport assessments). The scope for “major change” to reserved matters is limited, since any further approval would still have to fall within the scope of the outline permission. I therefore **Recommend** the deletion of the existing text of Policy BSS1 and its replacement (as a modified Policy BSS1) with: *Any proposals for material changes to the outline planning permission (3/18/2253/OUT) for 608 homes (including parameter plans) will require the approval of a revised Masterplan and potentially an Environmental Impact Assessment (subject to confirmation of a Scoping Opinion) and transport assessment if relevant.*
59. To achieve the necessary clarity, I **Recommend** that paragraph e) of BSS2 should be deleted and replaced with: *Only development proposals that meet or exceed the energy efficiency requirement of District Plan policy DES4 (or any subsequent policy superseding it) will be supported.*
60. In view of the permitted status of development proposals, I have doubts as to the retention of BSS3-5. However, they would be relevant if revised proposals for the site were submitted (albeit this is unlikely). I therefore do not recommend deletion or amendment.
61. Section 3.4 deals with the Bishop’s Stortford High School site. It needs updating in the light of the resolution of the DC to grant outline planning permission for 223 houses. I therefore **Recommend** that paragraphs 3.4.1.1

and 3.4.1.2 be deleted and, as suggested in Representation ACST-011, replaced with: *3.4.1.1 The proposal for Bishop's Stortford High School to move received formal support from Hertfordshire County Council on 11 July 2016. The School is moving to a new site on the development at Bishop's Stortford South. Plans for development of the School site have now received a resolution to grant outline planning permission on 4 November 2020 for up to 223 dwellings under application reference: 3/18/2253/OUT.*

62. Policy BSHS1 a) would restrict new housing on the site to be no higher than two storeys. The report to the DC Committee on the above application has recognised the acceptability of partial three storey development. Therefore this paragraph is seen to be too prescriptive. In accordance with the suggestion in the above representation I **Recommend** that it be deleted and replaced by: *New housing should make the best possible use of available land whilst respecting the character of the area with styles and pallets to complement the local landscape and adjacent housing.*
63. I **Recommend** that paragraph b) of BSHS1 should be amended in the same terms as recommended in paragraph 59 above.
64. Policy BSHS2 b), first sentence, seeks to control land outside the control of the landowner and outside the site the subject of the resolution to grant. To ensure the policy is effective I **Recommend** that paragraph b) be deleted and replaced by: *Consideration must be given within the application area to enhancing connectivity at either end to exploit opportunities for developing the Spinney as a sustainable route from the southern edge of the town into the town centre.*

## **Part 2 of both Plans**

### **Climate Change**

65. The Objective of section 3.1 is *To enable Bishop's Stortford to make a significant contribution to reducing climate change and to respond to East Herts District Council's commitment to support the whole of the District in becoming carbon neutral by 2030.*
66. Paragraph 3.1.2.2 indicates that the proposed policies look forward to an intention by the DC to adopt ambitious Climate Change policies.
67. Paragraph 3.1.2.3 sets out the ambitious to plan for zero carbon emissions from new development. This is embodied in proposed policy CC1.
68. On this topic, I am persuaded by much of the content of representation SM-007 (Countryside). It points out that the NPPF repeatedly refers to the planning system supporting a "low" carbon future and moving towards a "low" carbon economy, including at paragraphs 8, 152, 156 and 158. It refers to the fact that the proposed policy has not been subject to a strategic viability assessment.
69. It also refers to the strategic policies set out in the DP, which also refers to "low" carbon in its Strategic Objectives on page 19 and in Policies CC3 and DEL2.
70. I agree with these representations. I therefore **Recommend** that the reference in paragraph 3.1.2.3 to "zero" carbon emissions be replaced with "low" carbon emissions, and that the text after the first sentence be deleted. I further **Recommend** that policy CC1 a) be deleted and replaced by: *Every development should contribute to reducing or lowering greenhouse emissions in use. Encouragement will be given to proposals which go further and contribute no greenhouse emissions (net zero carbon).*

71. I **Recommend** that paragraph 3.1.2.4 be accordingly deleted, save for the last sentence.
72. The above modifications are required to pay due regard to national policy, to be in conformity with relevant strategic policies of the DP, and in the interests of sustainable development.
73. Policy HDP4 relates to Dwelling Mix Strategy. It repeats references to “major development schemes”. I **Recommend** that these references be deleted and that an introductory paragraph within the policy states: *This policy applies to residential development comprising major development (see Glossary).*
74. In relation to sub-paragraph c) of the policy, and in agreement with Representation SM-008, I find this requirement contrary to national policy and guidance in relation to seeking increased densities, and in relation to the role of viability. I **Recommend** that the second sentence be deleted and replaced by: *Subject to viability, and the achievement of appropriate density across the whole scheme, an element of bungalow development will be encouraged.*
75. Consistently with the above, and to ensure that the plan is firmly evidenced, I **Recommend** the deletion of paragraph 3.2.4.10.
76. Policy GIP2 deals with Local Green Spaces and other green areas. Sub-paragraph a) proposes policy in relation to LGS, reflecting that in the DP. However, the question of appropriate LGS policy is now subject to the guidance of the Court of Appeal in R (Lochailort) v Mendip DC [2020] EWCA Civ. 1259 (to the effect that, unless exceptional reasons are given, LGS policy should be consistent with NPPF policy). This judgment of course post-dates the LGS policy in the DP. I therefore **Recommend** that the last sentence of sub-paragraph a) be deleted and replaced with the policy in paragraph 103 of the NPPF: *Policies for managing development within a Local Green Space should be consistent with those for Green Belts.*

77. Section 3.4.5 addresses the Objective to protect and enhance wildlife and biodiversity. Matters have moved on since this section was drafted, in that the Environment Bill has now been enacted as the Environment Act 2021. I **Recommend** that all references to the Bill be updated accordingly. Based in part on the reference in paragraph 3.4.5.4 to Hertfordshire County Council’s aim to improve biodiversity on County Council land by 20% by 2030, this section of the plan incorporates that objective. Policy GIP5 e) - g) seek to justify a minimum net gain of 20%. I find that this aim is not justified by current national policy as – so far – reflected in the Environment Act 2021. DEFRA is currently consulting on a proposal for net gain of at least 10%. When relevant policy is issued, it will plainly be an important material consideration. Meanwhile, however, I **Recommend** the following modifications to GIP5 e) – h):

Sub-paragraph e) should be deleted

Sub-paragraph f) should be amended as follows: *Assessment of biodiversity gain shall be in accordance with the Environment Act 2021.*

In sub-paragraph g) delete “In the case of e) or f) above”, and insert 10% in place of 20%.

In sub-paragraph h) replace “20%” with “10%”.

78. The subject of allotments is addressed in section 3.4.7. On this topic, I am persuaded by the points made in Representation SM-007 (Countryside). I agree that the text and sub-paragraph e) of policy GIP7 are unduly onerous. I therefore **Recommend** that the last two sentences of paragraph 3.4.7.4 be deleted and replaced by: *To address this issue, policy GIP7 is amended to require allotments to be provided on sites for development of 350 homes or greater. At the land provision rate of 0.24 ha per 1,000 population stipulated, the smallest allotment site would be approximately 0.2 ha.* I further

**Recommend** that the two references in sub-paragraph b) of the policy to “200” be replaced with “350”.

79. Section 3.5 addresses in detail the topic of Transport. I have nothing but praise for the approach set out in the text and the policies. I do not share the views of Hertfordshire County Council as highway authority that there is not an appropriate balance between concerns over congestion, and the objectives for sustainable modes of transport.
80. There is a minor updating matter to address. The DC adopted a Sustainability Supplementary Planning Document (SDP) in March 2021. The text in paragraphs 3.5.3.14, 3.5.3.15 and 3.5.3.16 should be **updated** accordingly.
81. Policy TP1 b) would require traffic surveys “no more than 2 years old”. I find that this is somewhat onerous and out of line with normal practice and **Recommend** that a period of 3 years be substituted.
82. Paragraph 3.5.5.5 refers to an updated version of the Vehicle Parking SPD. To reflect the current position, the relevant text should refer to the fact that the preparation of a successor document is in progress.
83. The topic of Education is addressed in section 3.6. Paragraphs 3.6.3.1 – 3.6.3.3 inappropriately seek to direct an LEA how to carry out its function, which is not appropriate for a Neighbourhood Plan. I therefore **Recommend**:
- That the last phrase in paragraph 3.6.3.1 “and these must be made available in a timely fashion” be deleted.
- Paragraph 3.6.3.2 be deleted.
- That the first sentence of paragraph 3.6.3.3 be deleted.
84. Generally on this topic I am persuaded by representation SM-008 (page 4). I **Recommend** that policy EP1 should be deleted, and more positively worded

in these terms: *Development will be permitted if sufficient local primary school places exist or are made available for all additional children arising from a development and adequate secondary school places exist or are made available in Bishop's Stortford in schools that are reasonably accessible from the proposed development location or the developer makes contributions (whether financial or otherwise) requested by the Education Authority, to enable any shortfall in provision caused by the development to be addressed.*

**Conclusion**

85. I conclude that the Plans are of a very high standard, due to the careful work which has gone into their preparation and consultation. I have recommended a limited number of modifications to ensure compliance with the Basic Conditions. I **Recommend** that, subject to those modifications, the DC makes the two Plans.
86. Where this Report requires re-numbering of paragraphs or policies (or minor factual or textual changes are required), I assume that such changes are incidental to the recommendations made above.

**Christopher Lockhart-Mummery QC**

**Examiner**

**May 2022**



# Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards

(1<sup>st</sup> Revision)  
2021–2033

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Introduction and Site Specific Policies
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Site Independent Policies



# Bishop's Stortford Town Council Neighbourhood Plan for Silverleys and Meads Wards

– Part 1 Introduction and Site  
Specific Policies (1<sup>st</sup> Revision)

2021–2033

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Neighbourhood Plan for Silverleys and Meads Wards – Part 1 Introduction and Site Specific Policies 1st  
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# 1 Introduction

## 1.1 SUMMARY OF CHANGES IN THIS FIRST REVISION

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1.1.1.1 This plan is the 1st revision 2021-2033 of the Neighbourhood Plan for Silverleys and Meads Wards 2014-2031.

1.1.1.2 It has been prepared as the same time as the 1st revision 2021-2033 of the Neighbourhood Plan for All Saints, Central, South and part of Thorley 2016-2032. Together, the two plans cover the whole of the town of Bishop's Stortford and part of the parish of Thorley.

1.1.1.3 The main changes in the plan can be summarised as follows:

- A new section on Climate Change has been included, aimed at reducing the contribution that the town makes to the causes of climate change and building resilience to its unavoidable impacts.
- The section on Green Infrastructure has been strengthened with new policies aimed at increasing provision of green infrastructure and biodiversity on new developments and with more areas of existing open space designated as Local Green Spaces. Any Local Green Spaces which are designated as such in the East Herts District Plan 2018 have been removed
- The section on Transport has been strengthened with respect to assessing the impact of traffic from new development, promotion of sustainable means of movement and financing of transport improvements.
- A new section on the Town Centre has been included requiring development to follow the Town Centre Planning Framework. A part of the Town centre

Planning framework relates to the site at 'Old River Lane' and this is referenced in the separate site-specific section.

- Relatively minor modifications have been made to policies in other areas to bring them up to date and to align them with (so that they are identical to) the already very similar policies in the Bishops Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley (2021-2033) (1st Revision).

## 1.2 WHAT IS A NEIGHBOURHOOD PLAN?

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1.2.1.1 A Neighbourhood Plan is a part of the overall planning system, i.e. the system used to regulate and control building and development. The right to create one was introduced by the Localism Act 2011. A Neighbourhood Plan is created at a local level, in our case by Bishop's Stortford Town Council. Once a Neighbourhood Plan is formally adopted (made<sup>1</sup>) it sits alongside other planning policy documents and forms part of the statutory Development Plan for use by East Herts District Council as Local Planning Authority in determining planning applications. The Development Plan currently consists of the 2018 District Plan and the Hertfordshire Minerals Local Plan 2007 which is currently under review by Hertfordshire County Council. The Neighbourhood Plan has been developed with regard to the National Planning Policy Framework and the East Herts 2018 District Plan.

1.2.1.2 In particular this plan includes policies in relation to extensive areas of land

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<sup>1</sup> Technically the process of bringing a Neighbourhood Plan into force is called making the plan and the plan is then said to be 'made'.

to the north and north west of Bishop's Stortford, which are allocated for development in the District Plan. The Neighbourhood Plan does not specifically advocate development on these sites, however it does include policies which will apply (and therefore influence the development). This Neighbourhood Plan also contains policies in respect of the major development site at Old River Lane.

1.2.1.3 The Neighbourhood Plan can only deal directly with any land use matters which would be the subject of a planning application. These could include, for example, design standards, community facilities, transport and access, the protection of important buildings and historic assets such as archaeological remains, green spaces and many more areas. The Neighbourhood Plan can comment on matters which are not strictly planning matters, but any influence over these matters will be indirect only.

1.2.1.4 There are some legal limitations to Neighbourhood Planning. A Neighbourhood Plan must be 'in general conformity' with the strategic policies of the adopted District Plan. It cannot block development that is part of the District Plan. It must not conflict with the NPPF or EU legislation. It cannot deal with major infrastructure or national projects for which central government has a separate system. Finally, because it is part of the planning system, it can only directly influence matters which would be dealt with as part of a planning application and cannot force any particular development to take place.

### 1.3 WHY ARE WE PREPARING THIS PLAN?

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1.3.1.1 A Neighbourhood Plan allows the local community to have a direct say about

the development within the area. This Plan covers two of the five electoral wards in Bishop's Stortford. The area selected lies entirely within the civil parish of Bishop's Stortford and the boundaries are well-established.

### 1.4 VERSION NOTES

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1.4.1.1 This current version of the 1st Revision plan includes amendments to the Plan adopted in July 2015 following several stages of consultation and on the basis of the recommended modifications made by the Independent Examiner in his Examination Report.

### 1.5 THE PLAN IN CONTEXT

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#### 1.5.1 Bishop's Stortford as a Whole

1.5.1.1 Bishop's Stortford is a prosperous market town with a distinctive character, situated on the River Stort. With approximately 38,000 residents in 2011 (based on the census that year), it is the largest town in East Hertfordshire and the population has grown quickly over the last thirty years owing to its strategic location: close to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is a flourmill, distribution services, light industry, office-based and leisure services and retail.

1.5.1.2 Bishop's Stortford is widely viewed as a desirable location for young families and this has created a problem balancing demand for housing and services with the need to

protect the heritage of a medieval town, which is a large part of what makes it desirable.

### 1.5.2 The Neighbourhood Area

1.5.2.1 Silverleys and Meads wards are two of the five electoral wards of Bishop's Stortford and are situated on the north-west side of the town. The area comprises a mix of residential, town centre and green spaces. It includes most of the medieval heart of the town which has been well preserved as a conservation area and which was first developed at least a thousand years ago. The River Stort runs through the area supporting a wide variety of wildlife. Residents of the two wards have excellent access to the rural areas around the town and to the riverside, and

there are well-maintained rights of way to facilitate this. There are also several important green spaces within the area, namely Sworder's Field, Grange Paddocks, The Town Meads (riverside), Hoggate's Wood, Ash Grove and the area bordered by Rye Street and Farnham Road. These have recreational uses and significant ecological value.

1.5.2.2 The wards have an older demographic than average and as the average life expectancy grows there will be increased needs for care of the elderly. There is also a clear need for affordable housing for young families and individuals, including low cost market housing for private purchase. Retail is focussed on the town centre and, whilst there

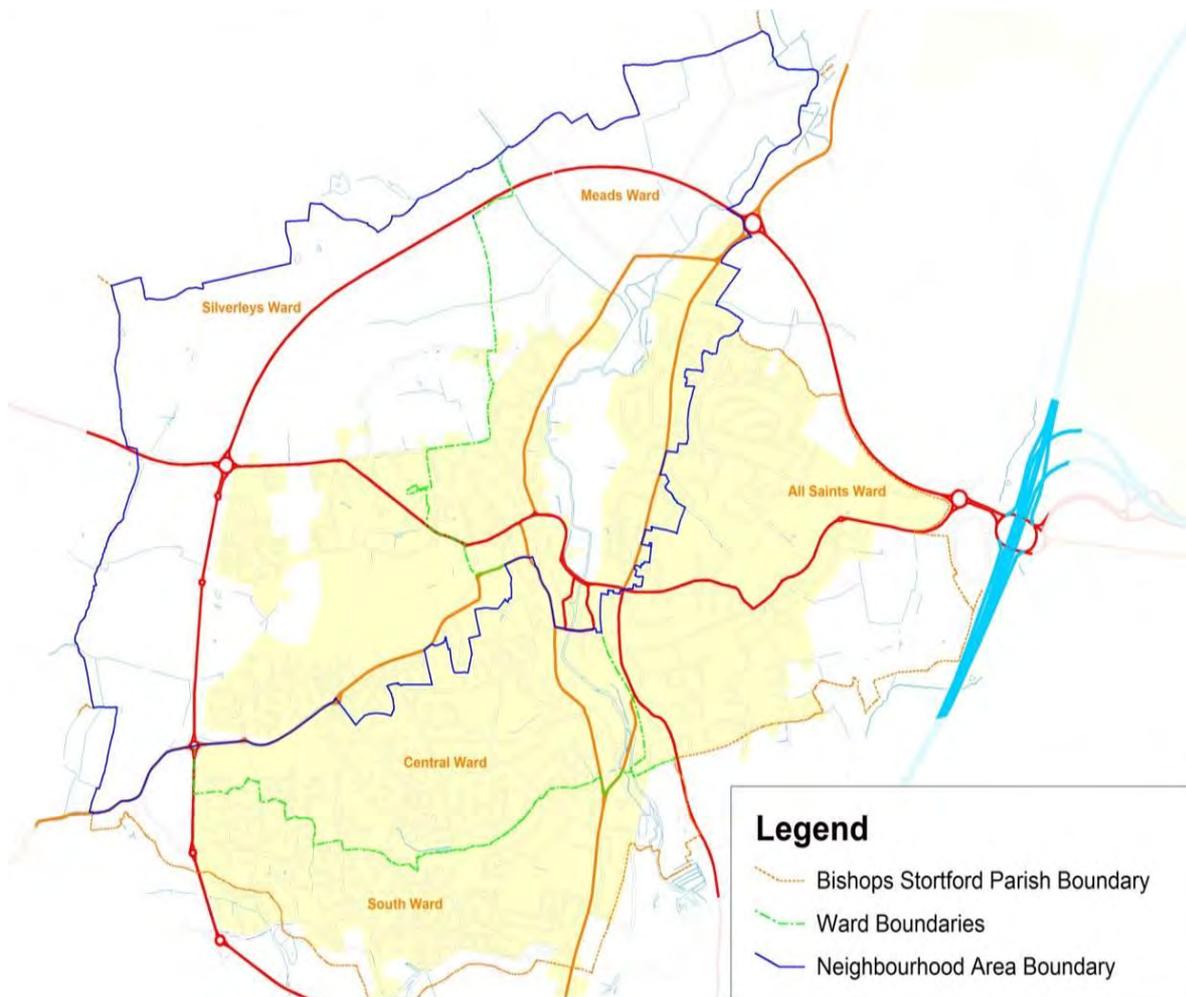


Figure 1 – The Neighbourhood Area

is some churn, the occupancy rate of town centre retail space remains favourable relative to comparable locations.

1.5.2.3 Three major developments are underway or at an advanced stage of planning within the Neighbourhood Plan area:

- An extensive area of land to the north and north-west for 2,500 homes, schools, neighbourhood centres and employment areas; known generally as Bishop's Stortford North.
- A mixed-use town centre redevelopment (including 100 homes) referred to as the Old River Lane Development for which a multi-storey car park to replace lost ground level parking is under construction.
- A residential development for 247 homes on land South of Hadham Road.

## 1.6 HOW WAS THE INITIAL PLAN DEVELOPED?

### 1.6.1 The Neighbourhood Plan Team

1.6.1.1 The development of the Neighbourhood Plan was led by a Neighbourhood Plan Team (NPT), under the general guidance of Bishop's Stortford Town Council. The NPT, twelve people in total, comprised representatives of local residents' associations, the Bishop's Stortford Civic Federation, The Bishop's Stortford Chamber of Commerce, a representative of the Bishop's Stortford Retail Association, three Town Councillors (two of whom are also East Herts Councillors and one also a County Councillor) and the developers of the proposed housing on the ASRs/SCA (namely Countryside Properties and the BSN Consortium). Volunteers were sought through newspaper advertisements and three un-affiliated volunteers joined the NPT. The two developer members were asked to leave when they

submitted a full planning application as it was felt that they would be compromised at this point. The NPT was supported by a planning officer from East Herts Council and two officers from Bishop's Stortford Town Council.

1.6.1.2 All team members were briefed to consult with other residents and interested parties during the initial phases of plan preparation to supplement the formal consultation stages.

### 1.6.2 The Town Plan and Survey

1.6.2.1 The NPT had at its disposal a survey of residents of the town (The 'Town Plan Survey') that had been conducted in October 2008. Around 4,000 completed questionnaires were received. This survey provided an easily accessible document giving a detailed analysis of the community view on a range of topics, against which the Town Council has reported progress. The survey led to the creation of a Town Plan setting out numerous actions, many of which have been implemented. The plan was updated in 2011 and several of the longer term actions continue.

### 1.6.3 2020 Vision for Bishop's Stortford

1.6.3.1 Around the same time as the Town Plan Survey (and based on the same data), a vision for Bishop's Stortford, the '2020 Vision', was created by a group led by East Herts Council and which included representatives from many organisations connected with the town. This Vision document has provided a further high level input to the Neighbourhood Plan.

### 1.6.4 Initial Public Engagement and Partial Draft

1.6.4.1 The Town Plan Survey provided the Neighbourhood Plan Team with a framework to work within when establishing the objectives of the plan. The public were further

engaged throughout this initial stage. As each section (for example Vision, Transport, Housing etc.) was drafted, it was published on the Town Council website and comments invited and received. In June 2013 a series of 'focus groups' was organised to concentrate on specific topics and a range of bodies and individuals invited to attend. In parallel a wide variety of organisations, including the major statutory consultees, were asked to comment on early documentation. A public consultation day was held in July 2013 and was widely advertised; the publicity included a leaflet delivered to every household and business in the whole of Bishop's Stortford as well as posters, tweets, Facebook postings and newspaper articles. The day provided excellent feedback on the early draft of the plan.

### **1.6.5 Professional Review and First Full Draft**

1.6.5.1 Following this initial consultation stage all the comments received were reviewed and considered and the first draft of the Neighbourhood Plan was amended. This was reviewed by a professional planning consultant who was asked to recommend changes, particularly to policies, to ensure that they were effective and in accordance with the statutory requirements. The amended text was formally approved by the Neighbourhood Plan Team on 13<sup>th</sup> August 2013<sup>2</sup> and subsequently reviewed, approved and adopted by Bishop's Stortford Town Council on 2<sup>nd</sup> September 2013.

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<sup>2</sup> Bishop's Stortford North Consortium has requested that it be noted that its representative was asked to withdraw before the approval of the draft plan.

### **1.6.6 First Full Draft and Public Engagement**

1.6.6.1 This first full draft was published in September 2013. Comments were again invited, and a publicity campaign launched to raise awareness. Specific groups were targeted, including disability groups, young people, commuters and parents, through a variety of engagement strategies.

1.6.6.2 Following this feedback the objectives and policies in the plan were amended and the plan rearranged to make it easier to read.

### **1.6.7 Formal Consultation and Examination Copy**

1.6.7.1 The formal consultation period for the Plan commenced on 1<sup>st</sup> February 2014 and ended on 25<sup>th</sup> March 2014.

1.6.7.2 Following consultation the comments made were individually logged and assessed. Where appropriate, changes were made to the policies and supporting text. The team also engaged further with selected consultees in order that their comments could be better understood. Further details are given in the Consultation Statement.

1.6.7.3 The amended text was approved by Bishop's Stortford Town Council on 6<sup>th</sup> April 2014. Following this the plan was then submitted to EHDC for a further consultation.

1.6.7.4 All information was then submitted for independent examination by EHDC.

## **1.7 THE FIRST REVISION**

### **1.7.1 Development**

1.7.1.1 A Revisions Team was set up by the Town Council in May 2020, following a public invitation, with terms of engagement provided to team members. The brief was to prepare a limited revision of the original plans. Team

members comprised Councillors, representatives of some community organisations and interest groups, developer's representatives and some independent residents; all working under the guidance of the Town Council. Initially the team had 18 members but participation by some was inconsistent with later meetings being attended by a core of 10 to 12 members.

1.7.1.2 Subject leaders were selected from the team to form smaller groups to address the topics where most change to the original policies was anticipated. Individuals with particular interests or knowledge of the topic areas were co-opted onto these smaller groups by the subject leaders.

1.7.1.3 A first public consultation was held in October and November 2020, ending 15th November, with a flyer distributed through the neighbourhood plan areas, an exhibition at the Tourist Information Centre and information on the Town Council's website. Comments were invited by post, email and by completing a response form on-line. It was intended to have a consultation stall in Jackson Square in the town centre but plans for this were thwarted by lockdown measures due to the covid pandemic coming into force only days beforehand. There were 108 responses to the survey.

1.7.1.4 Amendments to the draft plan were undertaken following the consultation process; taking into account the survey responses and reviews by the revisions team. This led to the preparation of a second revision for Regulation 14 consultation purposes which commenced on 8th February. Copies of the 2nd draft was again put on-line and a second flyer was distributed to the town inviting comments by 22nd March 2021. Comments were also invited from statutory bodies and organisations with special interests. Plans for holding consultations

sessions in the town were again prevented by lockdown measures that had been in place throughout early 2021. As an alternative, on-line consultation opportunities using web-based conferencing software was provided during two days in February and one evening in March. A number of residents took this opportunity to engage with members of the neighbourhood plan revisions team and many comments were received. These were duly considered and incorporated where appropriate into the current version of the plan

### 1.7.2 Approval

1.7.2.1 The plan was formally approved for submission by the Town Council on 10<sup>th</sup> May 2021 and subject to an Independent Examination in spring 2022.

### 1.7.3 Presentation of Plan

1.7.3.1 The plan comprises policies which apply to the whole neighbourhood area and policies which apply only to specific sites. The majority of the policies in the plan, the 'Site Independent' policies, apply to the whole Neighbourhood area.

1.7.3.2 During the revision of the plan the opportunity was taken to align the, already very similar, site- independent policies in this plan with the equivalent policies in the Neighbourhood Plan for All Saints, Central, South and Part of Thorley (which covers that part of the civil parish not covered by this plan, and a part of the adjacent parish).

1.7.3.3 The objectives and policies in this plan are therefore in two sections, those which are site specific and those which are site independent. These are presented in two volumes namely this one and the accompanying volume 'Neighbourhood Plan for Silverleys and Meads Wards – Part 2 Site Independent Policies (1st Revision)'. The latter forms part of, and is incorporated into, this plan.

## 2 Vision and Objectives

### 2.1 OVERALL VISION

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2.1.1.1 The overall vision for the Neighbourhood Plan is that the Neighbourhood Area should be a great place to live, work and play, embracing development and relating to Bishop's Stortford as a whole in a way that retains the unique market town characteristics and medieval charm, but at the same time provides the additional infrastructure and housing needed to support growth. There are some principles to the vision:

- Development must be suitable, sustainable and demonstrate excellent design so that people's quality of life both now and in the future is enhanced by well thought out housing, infrastructure, and other facilities creating a sense of local community;
- Development should complement and support the existing character and cultural heritage of the market town and its river and create an attractive mix of well maintained residential and green spaces within a safe environment;
- Major development on the edge of the current built up area should be designed with Garden City principles, specifically incorporating its own green infrastructure (gardens, parks and landscaping) so as to create a smooth transition between the historic centre and the rural hinterland beyond;
- The River Stort is widely recognised as an under-used asset for the town; it should be developed as a focus for the town, in terms of leisure use, pedestrian and cycle usage, and wildlife diversity;

- Development within the town centre should seek to enhance and complement existing provision through sensitive regeneration, renovation and conservation;
- The transport infrastructure with its improved links should evolve in a way which facilitates economic and social activity without undermining the features that makes the town desirable;
- Schooling and health infrastructure should meet the needs of the population and be accessible;
- The town centre should remain the primary location for retail and service provision and be attractive, prosperous and vibrant. It should remain the heart of the town with appropriate connections to it;
- Businesses should be attracted to Bishop's Stortford due its highly skilled local workforce and high quality premises.

2.1.1.2 This Vision is supported by a set of objectives under individual policy themes as set out below.

### 2.2 SITE INDEPENDENT OBJECTIVES

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2.2.1.1 Site Independent Objectives can be found in the volume 'Neighbourhood Plan for Silverleys and Meads Wards – Part 2 Site Independent Policies (1st Revision)'.

### 2.3 SITE SPECIFIC OBJECTIVES

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#### 2.3.1 Old River Lane

2.3.1.1 Development is currently planned for Old River Lane in the Town Centre of Bishop's Stortford.

### 2.3.2 Objective

- To provide a balanced mix of residential, cultural, leisure and business uses within the Old River Lane Site.

2.2.2.1 No specific policies are proposed to achieve this objective as it is considered that this is best achieved through the formulation of a Supplementary Planning Document, as detailed in the District Plan (2018). It is therefore desirable that development of Old River Lane should be informed by a Supplementary Planning Document (SPD) and the District Council are encouraged to prepare such a document. Once adopted it will be a material consideration in the determination of planning applications for the site.

### 3 Policies

#### 3.1 SITE INDEPENDENT POLICIES

##### SI1 – Site Independent Policies

a) The Policies set out in the volume 'Neighbourhood Plan for Silverleys and Meads Wards – Part 2 Site Independent Policies (1st Revision)' are incorporated into this plan.

b) Where these policies refer to 'designated locations' the designated locations in relation to the policy stated shall be as follows.

Policy Number	Designated Location
GIP2	<p>a)</p> <ol style="list-style-type: none"> <li>1. The Firs Allotments</li> <li>2. Bishop's Stortford Rugby Football Club Grounds</li> <li>3. Northolt Avenue Play Area</li> <li>4. Open Space Adjacent to Cannons Mill Lane</li> <li>5. Farnham Bourne Brook</li> </ol> <p>c)</p> <ol style="list-style-type: none"> <li>1. Skelley's Wood</li> <li>2. Green Space at rear of Northgate Multi-Storey Car Park (Under Construction)</li> <li>3. Small Wooded Area East of Waitrose Immediately South of the Causeway</li> <li>4. Grassed Area at back of Cock Inn, Hockerill</li> </ol>
TP4	<p>h)</p> <ul style="list-style-type: none"> <li>○ Improving links to areas outside the A120 bypass road, in towards the town centre, to schools and across the railway line to Grange Paddocks and the Meads.</li> </ul>

	<ul style="list-style-type: none"> <li>○ Maintaining existing bypass crossings for pedestrians and cyclists.</li> <li>○ New crossings and improved pavement along the Hadham Road, particularly at the town centre end.</li> <li>○ Forming a continuous cycle and pedestrian link between the eastern end of the ASRs and the bus/train station along the Stort Valley, using existing routeways where appropriate to do so.</li> <li>○ Maintaining and improving the footbridge over the railway line between Grange Paddocks and Cannons Close (Johnson's Crossing) and similarly at King's Court.</li> <li>○ Maintaining the rail crossing at Cannons Mill Lane for pedestrian, cyclist and non-ambulant use.</li> <li>● Safety improvements to the pavements on the North side of the river bridge in Station Road, so that pedestrians can pass each other safely and without having to step into the road.</li> </ul>
TP6	<p>b)</p> <ul style="list-style-type: none"> <li>○ No Designated Locations</li> </ul>

## 4 Monitoring and Review

### 4.1.1 Monitoring

4.1.1.1 This plan covers the period 2021–2033. Development will take place during this time, both in the Neighbourhood Area and outside it. This will have an impact on the area and on its relationship to the town as a whole. It is important that the effectiveness of the plan is monitored in the light of these developments.

4.1.1.2 The monitoring framework must answer two questions, namely:

- Are the policies being applied effectively?
- Are the policies achieving the objectives of the plan?

These will be monitored principally by the Town Council as a part of the process for review of planning applications. The Town Council already tracks and comments on all applications made and furthermore tracks the determinations made by East Herts Council and compares them to recommendations made by the Town. This process can be extended to track cases where decisions rest on or are influenced by policies in the Neighbourhood Plan, and thereby whether the policies are being applied effectively. This will be monitored approximately on an annual basis and reported through the appropriate Town Council committee (currently the Planning Committee). The monitoring period may be adjusted based on initial results.

### 4.1.2 Review

4.1.2.1 If monitoring shows that the policies in the plan are not being applied effectively or the Plan is failing to achieve its objectives, action may be necessary to address the shortfall. This action could include:

- working with the East Herts Council and other partners to establish measures to make policies more effective
- negotiating with developers to secure the plan objectives and influence the shape of development, acting as a broker between landowner, developer and community
- supporting partner bids for funding to deliver key facilities
- supporting the creation of forums for strategic planning, for example for sports and leisure facilities
- a further review of the Neighbourhood Plan
- merging the two Neighbourhood Plans

## 5 Policy Index

### 5.1 NEIGHBOURHOOD PLAN FOR SILVERLEYS AND MEADS WARDS – PART 1 INTRODUCTION AND SITE SPECIFIC POLICIES (1<sup>ST</sup> REVISION) 2021-2033

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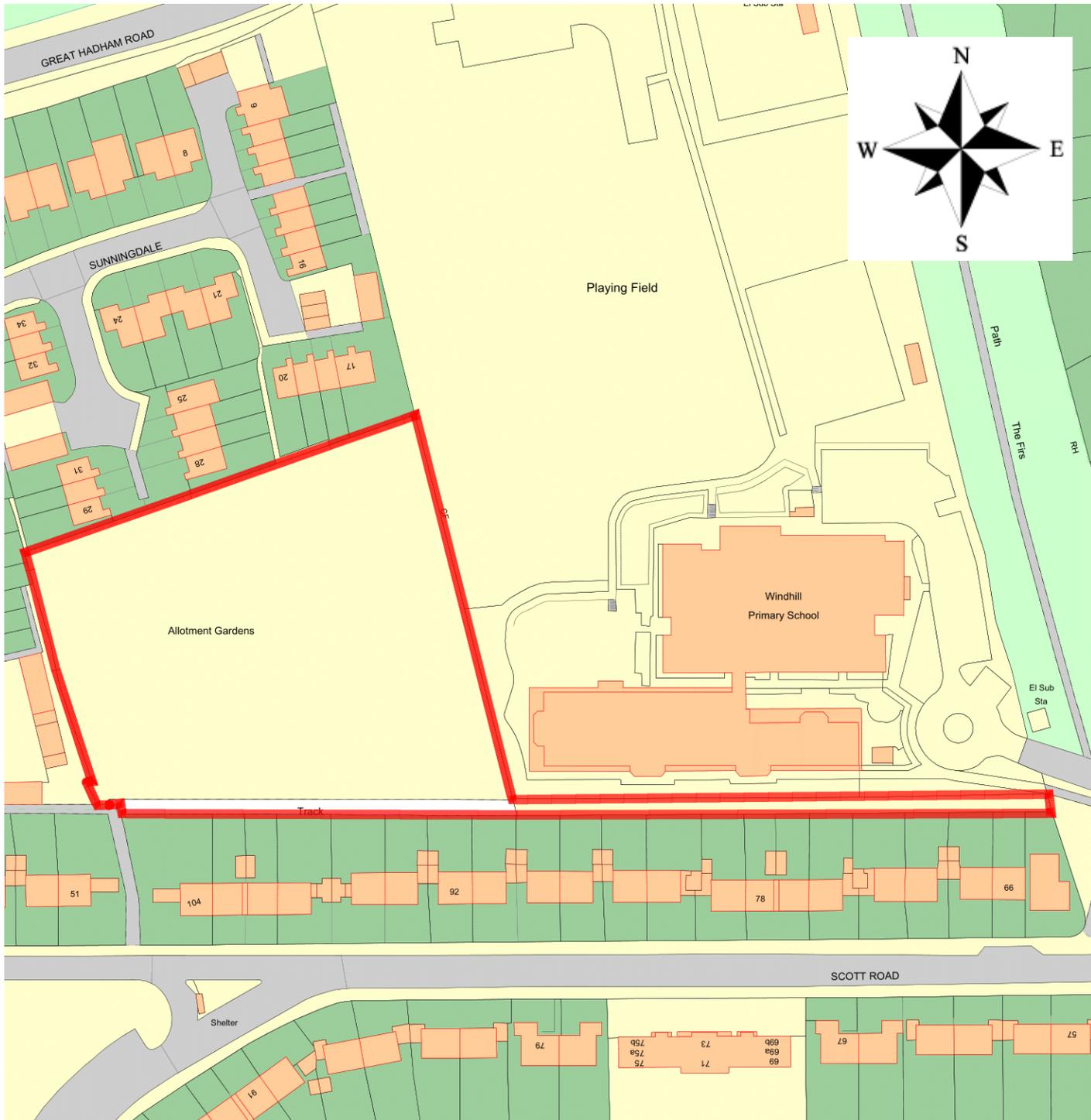
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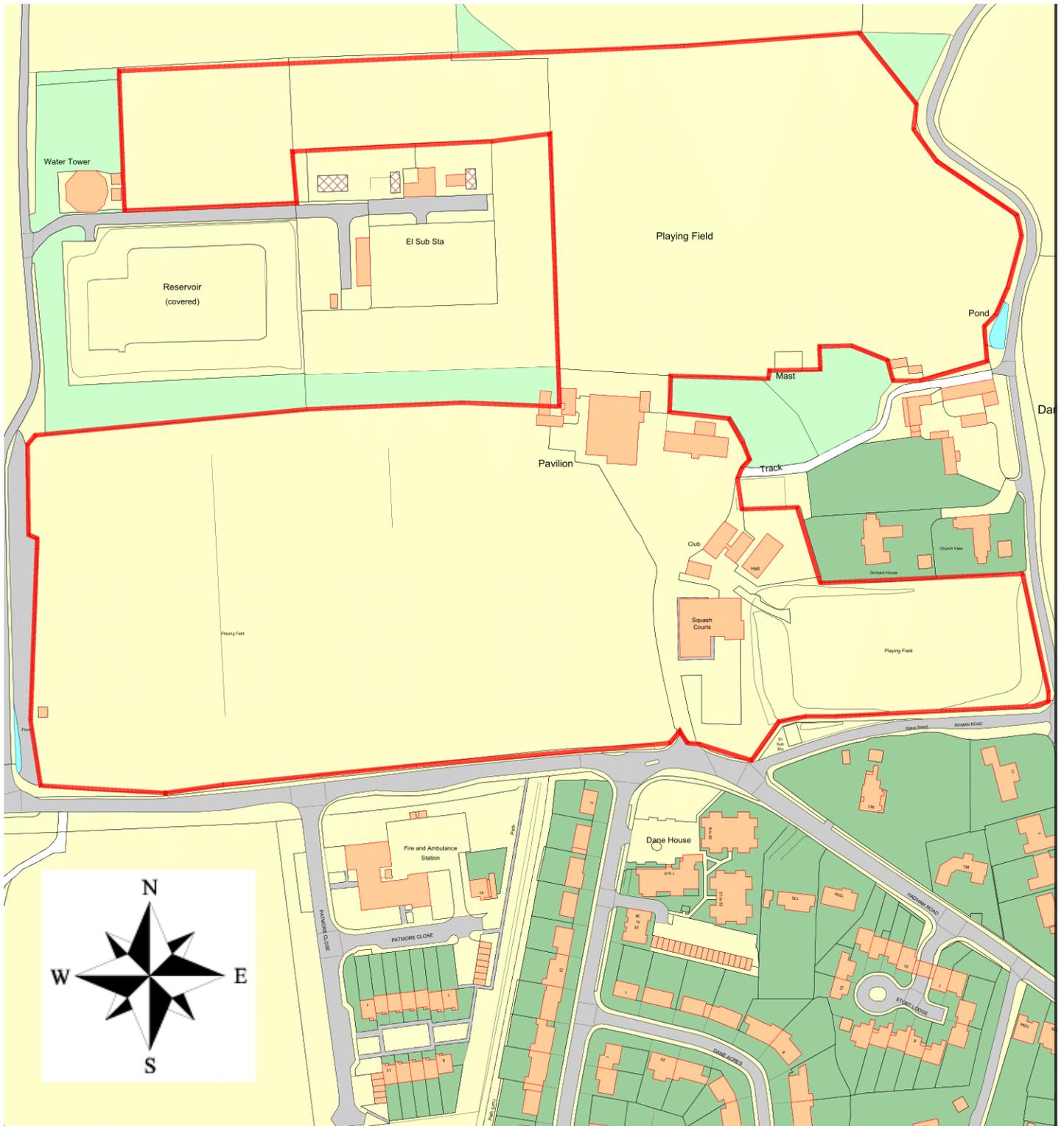
## 6 Policy Maps

### 6.1 POLICY MAPS FOR POLICY GIP2(A)

#### 6.1.1 The Firs Allotments (1:1250)



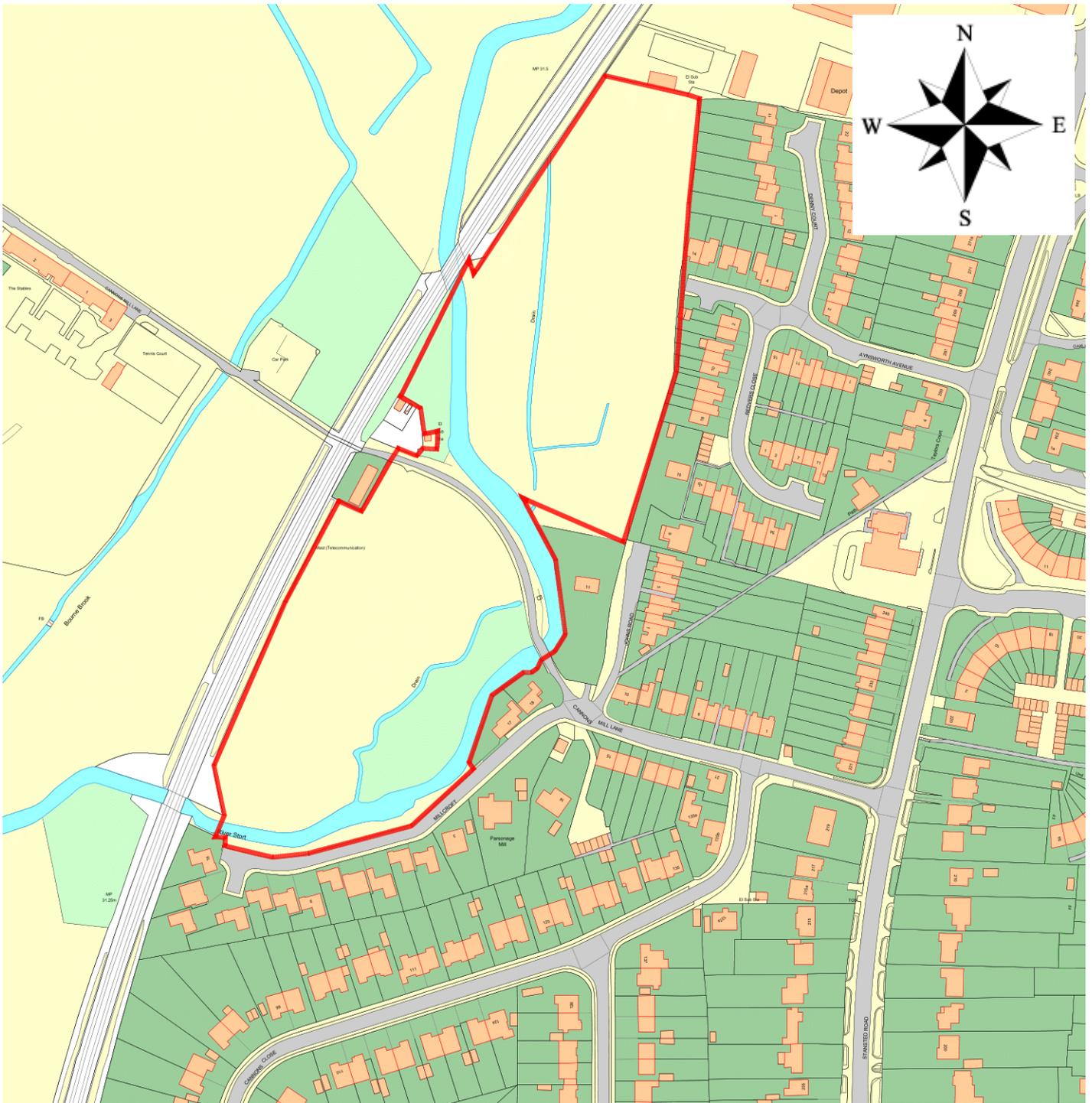
### 6.1.2 Bishop's Stortford Rugby Football Club Grounds (1:2500)



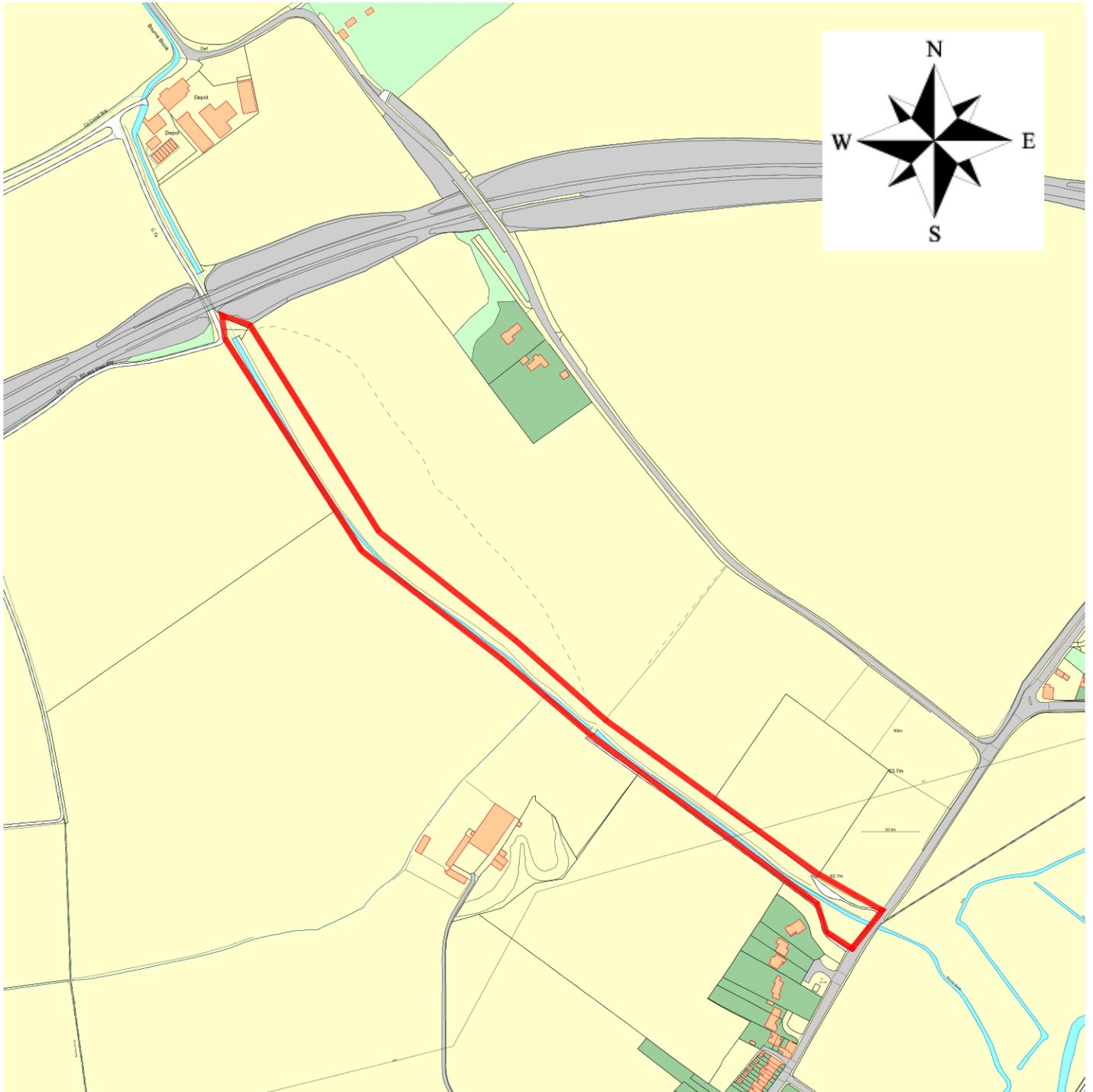
### 6.1.3 Northolt Avenue Play Area (1:1250)



### 6.1.4 Open Space Adjacent to Cannons Mill Lane (1:2500)

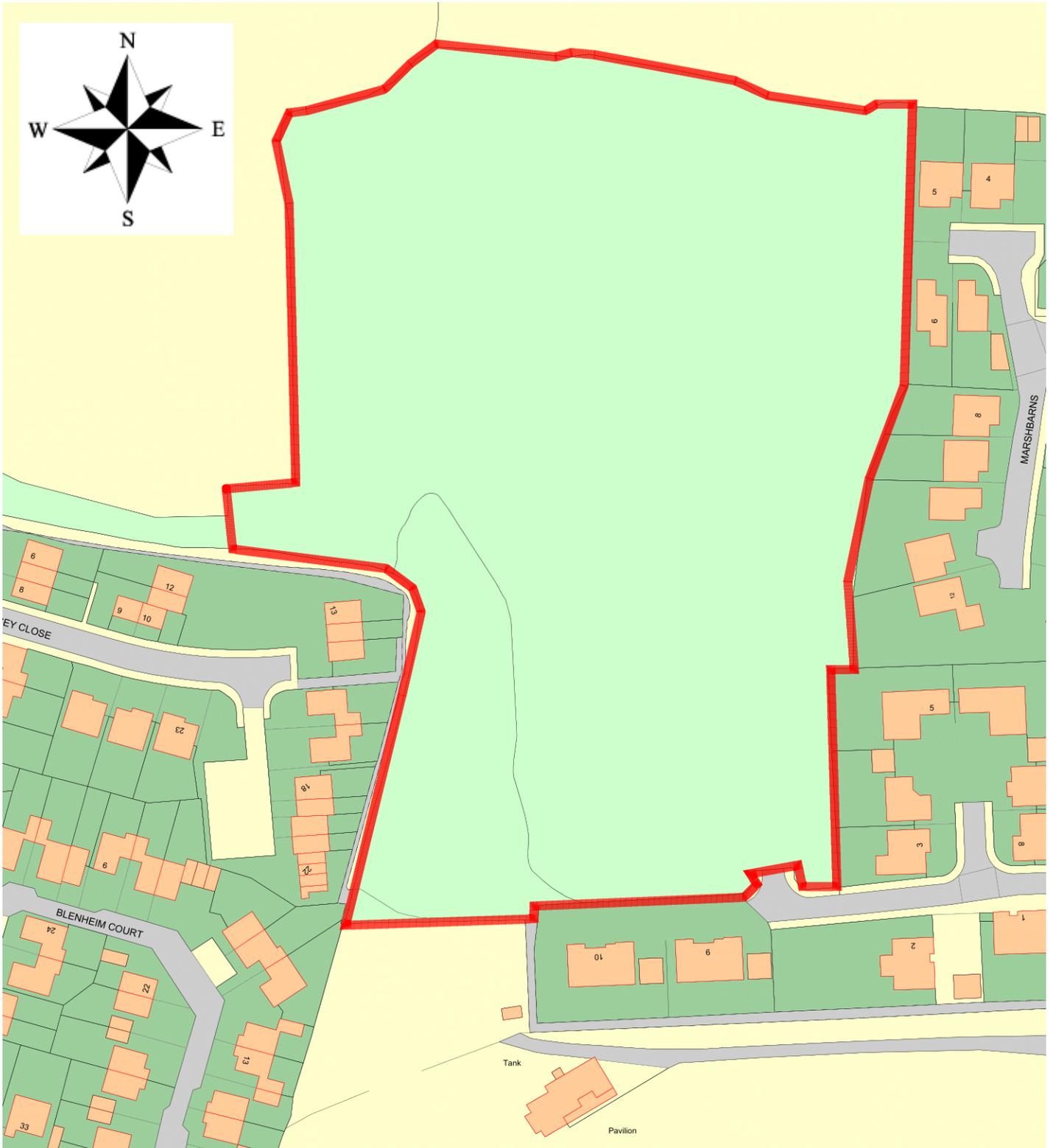


### 6.1.5 Farnham Bourne Brook (1:5000)

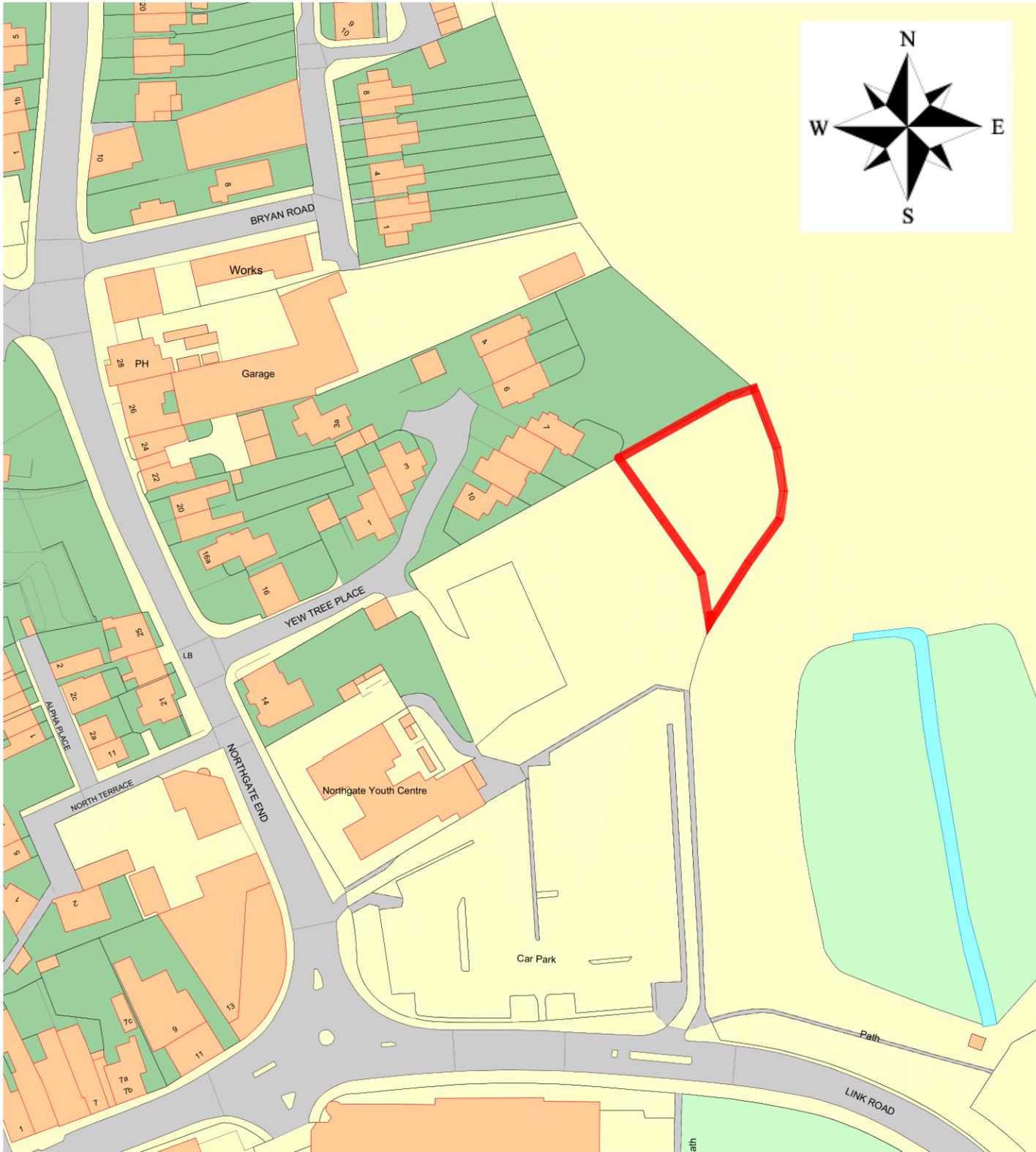


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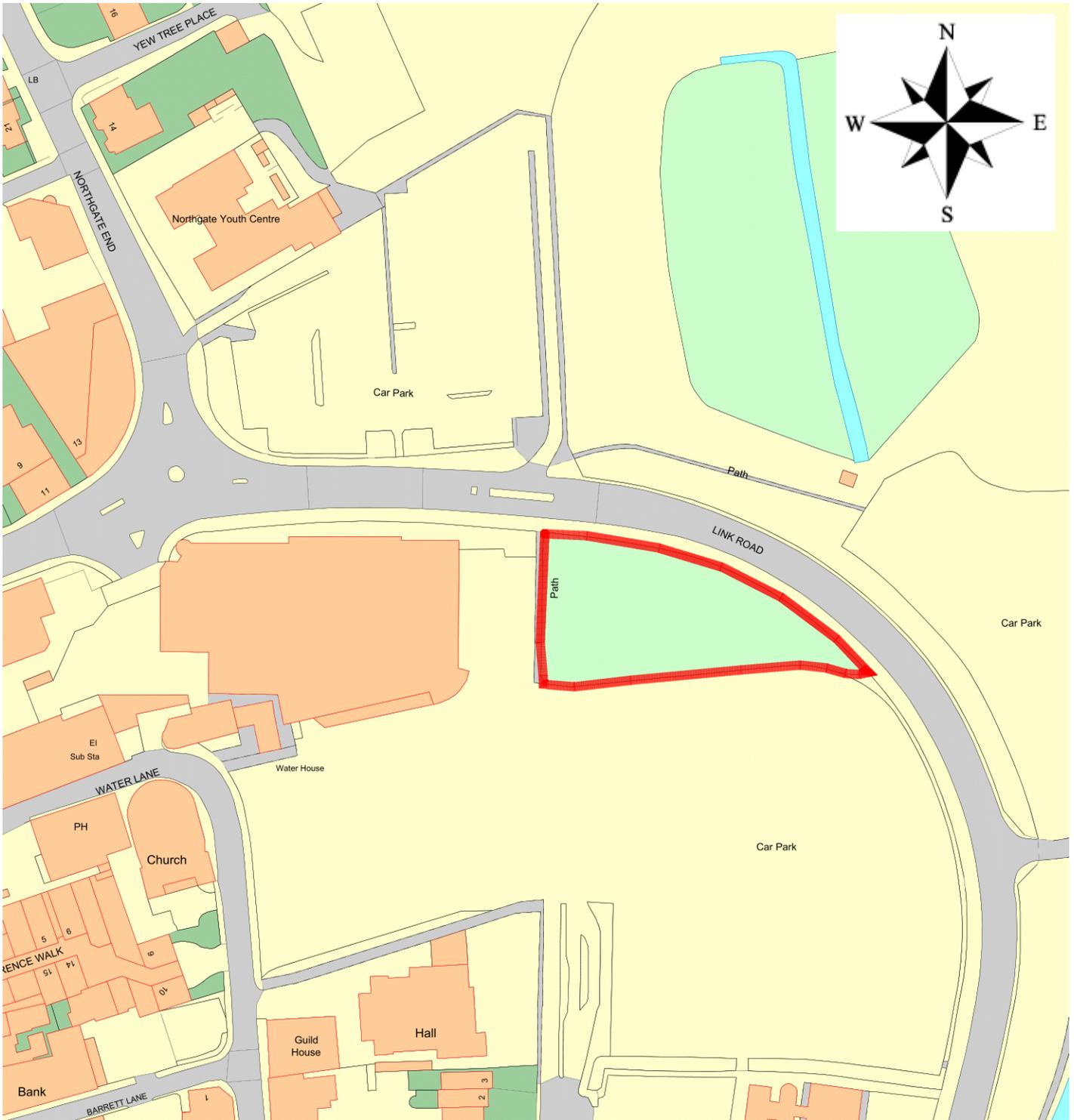
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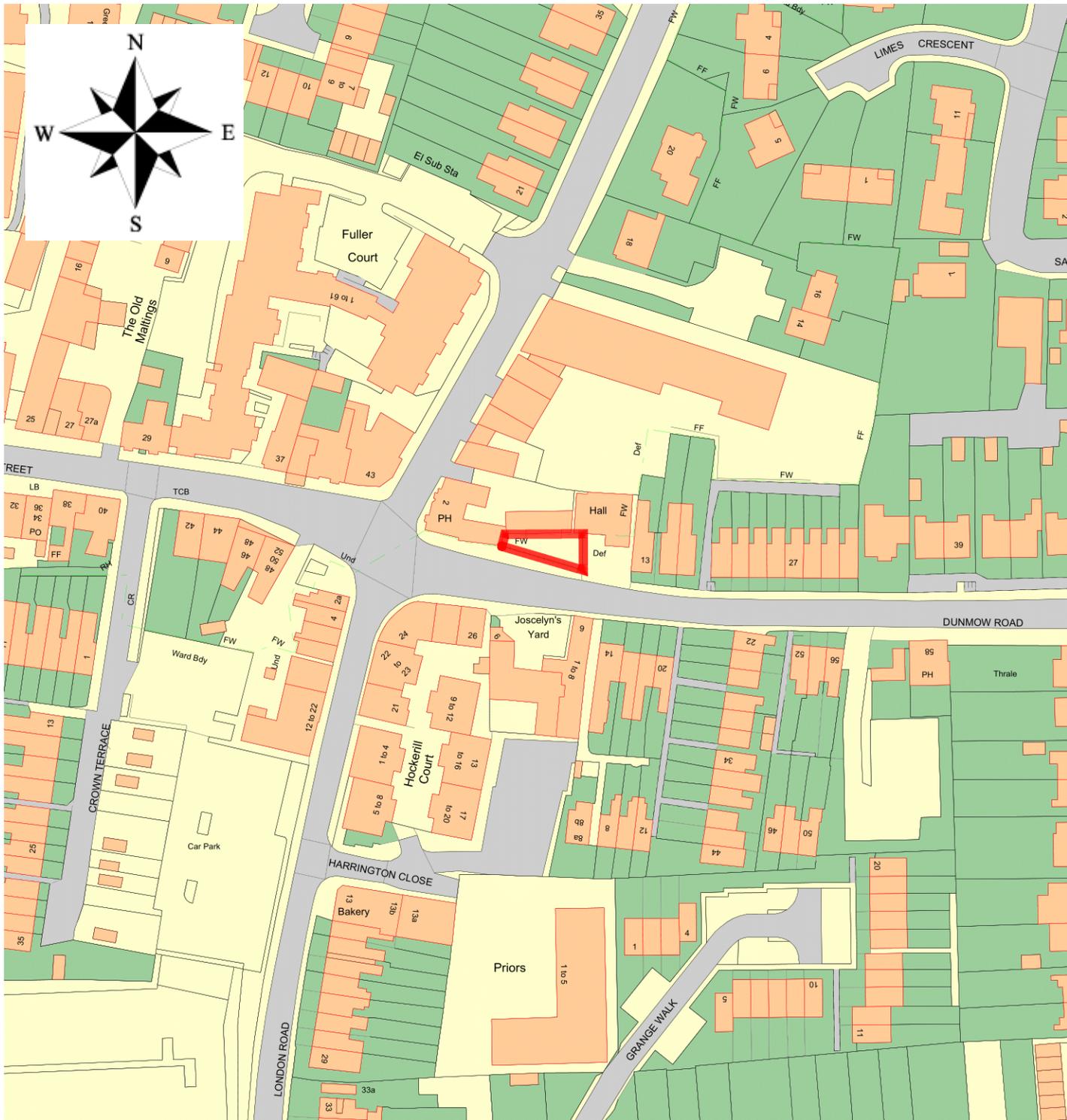
**6.2.2 Green Space at rear of Northgate Multi-Storey Car Park \*Under Construction) (1:1250)**



### 6.2.3 Small Wooded Area East of Waitrose Immediately South of the Causeway (1:1250)



### 6.2.4 Grassed Area at back of Cock Inn, Hockerill (1:1250)



## 6.3 TABLE OF AREAS, CHARACTER AND SPECIAL VALUE (GREEN INFRASTRUCTURE)

### Abbreviations:

EH DP 2018	=	East Herts District Plan 2018
EH OSA 2017	=	East Herts Open Spaces Assessment October 2017
EH SFRA 2016	=	East Herts Strategic Flood Risk Assessment 2016
BSNP1 2014	=	Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014-2031
BSNP2 2016	=	Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2016-2032
LGS	=	Local Green Space
LAP	=	Local Area for Play (designed for children up to 6 years)
LEAP	=	Local Equipped Area for Play (caters for younger children beginning to play independently)
NEAP	=	Neighbourhood Equipped Area for Play (caters predominantly for more independent older children)

Location (area)	Character and Special Value
The Firs allotments (0.68 hectares)	Community allotments operated by the Town Council serving the residential areas that surround it. Open space outlook for the houses that overlook it on 3 sides. With hedges and trees around the edges providing wildlife habitat. Connected via its grassed and hedge lined access track and across Windhill 21 playing field and forest school area to The Firs wildlife corridor (see separate entry below). Identified as Allotment Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Bishops Stortford Rugby Football Club grounds, Silver Leys (9.68 hectares)	Land held in trust which has been Bishop's Stortford Rugby Club's home ground since 1928. The club caters for teams of all ages with over 500 players participating and attracts large numbers of supporters to first team games. There are also indoor sports facilities used by other sports clubs and meeting rooms used by the community. The grounds are bounded by hedges and trees and provide open space adjacent to the residential areas that will, when complete, abut it on the north, west and south sides. On the east side it links with East Herts designated Whitehall/Hoggate's Wood green wedge. It is crossed by a footpath that joins a bridleway on its western boundary that leads north into the countryside beyond the urban area. Some of the area is designated as Open Space in EH DP2018
Northolt Avenue play area (0.77 hectares)	Play area and small grassed park serving the residential areas that surround it on 3 sides. Its north side abuts Birchanger Woods (see separate entry below). Hedges and trees on all sides offer wildlife habitat and connect with the woods. An important amenity space in this north east residential area as evidenced by Amenity Green Space mapping in EH OSA 2017. Designated as Open Space in EH DP2018
Open space adjacent to Cannons Mill Lane (3.22 hectares)	Open grassland and scrub with trees in some areas forming part of the flood plain meadows of the River Stort: within flood zones 2 and 3 according to EH SFRA 2016. Includes a loop of the river and smaller drains. Extends the meadows and wildlife areas that are part of East Herts designated Castle/Grange Paddocks green wedge into the residential area on the east side of the railway.
Farnham Bourne Brook	Watercourse, banks and hedges forming a wildlife corridor linking the River

(1.70 hectares)	Stort and East Herts designated Castle/Grange Paddocks green wedge with countryside beyond the A120 bypass. Part of the flood plain: within flood zones 2 and 3 according to EH SFRA 2016. Designated as a 'green lung' in BSNP1 2014. In due course the watercourse will become an important open space corridor through the developments that are proceeding apace on both sides of it (Bishop's Stortford North and St Michael's Hurst) and will be integrated into the proposed Farnham Bourne Park. In a future revision of the NP it is expected that the designation will be extended to include the park and attenuation ponds for the developments.
Skelley's Wood (2.27 hectares)	Woodland (former orchard) on edge of proposed residential development that will enclose it to the north and west, with existing housing to the east and Bishop's Stortford College sports field to the south. Hertfordshire Way footpath runs along the southern edge. On the south side it abuts green belt and East Herts designated Stortford Park green wedge as adopted in EH DP 2018. Wildlife habitats with links to the countryside through the hedgerow corridors in the green wedge. Identified as Natural and Semi-natural Green Space in EH OSA 2017. Designated as Open Space in EH DP 2018 (along with a field to the north west of the wood which is now proposed for development by Herts County Council).
Green space at rear of Northgate End multi-storey car park (under construction) (0.10 hectares)	Open space of grass and trees to be retained as part of Northgate End multi-storey car park scheme currently under construction. On opposite bank of the River Stort to East Herts designated The Castle/Grange Paddocks green wedge as adopted in EH DP 2018. In floodplain of the River Stort: within flood zones 2 according to EH SFRA 2016.
Small, wooded area east of Waitrose immediately south of the Causeway (0.16 hectares)	Small, wooded area on the edge of the existing ground level car park and adjacent to Waitrose foodstore. This site has outline planning permission for development (Old River Lane development: ref. 3/10/1964/OP) but the proposals retain the wood which provides some natural softening to the urban environment. In floodplain of the River Stort: within flood zones 2 according to EH SFRA 2016.
Grassed area at back of Cock Inn, Hockerill (0.01 hectares)	Small, grassed area with seating allowing socialising in an otherwise density built and busy environment.



Neighbourhood Plan for  
Silverleys and Meads Wards –  
Part 2 Site Independent Policies  
(1<sup>st</sup> Revision)  
2021-2033

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Neighbourhood Plan for Silverleys and Meads Wards – Part 2 Site Independent Policies (1<sup>st</sup> Revision)  
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Ordnance Survey

### 1 Introduction

1.1.1.1 The document contains objectives and policies which are not related to specific major development sites ('site independent') and apply to the whole of the neighbourhood plan area.

1.1.1.2 The policies in this section are identical, other than where specific locations are mentioned, to the policies contained within 'Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish (1<sup>st</sup> Revision) – Part 2 Site Independent Policies'. This recognises that, whilst the two Neighbourhood Areas and their respective Neighbourhood Plans have distinct characteristics, there are also many common factors to which common policies rightly apply.

1.1.1.3 This revision takes the process a step further so that equivalent policies in the two plans have identical wording.

### 2 Vision and Objectives

#### 2.1 CLIMATE CHANGE

2.1.1.1 Since the creation of the Neighbourhood Plan, the potential impact of climate change has become more evident.

2.1.1.2 This first revision of the Neighbourhood Plan specifically recognises the importance of tackling climate change both in terms of reducing greenhouse gas emissions to minimise future global climate change, and planning for the unavoidable local impacts of climate change.

#### Objectives

- To enable Bishop's Stortford to make a significant contribution to reducing climate change and to respond to East Herts District Council's commitment to support

the whole of the District in becoming carbon neutral by 2030.

- To build resilience in the town to unavoidable climate change, mitigate climate change effects, moderate or avoid harm and exploit beneficial opportunities.

#### 2.2 HOUSING AND DESIGN

2.2.1.1 Housing, and the design of the urban environment, has a direct impact on quality of life and excellent design is critical to creating desirable and sustainable neighbourhoods with a sense of community and place. The Neighbourhood Plan does not allocate housing land; this is the responsibility of the East Herts Council District Plan 2018. Instead the Neighbourhood Plan seeks to influence development to ensure that it complements the town, is of a high quality, and is supported by appropriate infrastructure.



#### 2.2.2 Objectives

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Identify, protect and enhance archaeological sites

### 2.3 GREEN INFRASTRUCTURE

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2.3.1.1 The residents of Bishop's Stortford are fortunate to live in a town that encompasses a variety of green areas and that has links to the surrounding countryside; both of which provide opportunities for healthy and enjoyable activities and space for nature. The River Stort provides water related leisure activities and biodiversity.

2.3.1.2 In recent years, the importance of these areas has become more apparent. They can help address the impacts and future risks associated with climate change. They provide environments in which we can connect with nature which is good for our physical and mental health. And they provide opportunities for social contact, the value of which has never been so apparent as during the recent times of restricted social activity due to the covid-19 pandemic.

2.3.1.3 New development should protect and enhance these green assets for the wide variety of benefits they can provide for both new residents, the wider community and nature.

#### 2.3.2 Objectives

- In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.
- Protect and enhance green infrastructure for the many benefits it provides.
- Protect and enhance wildlife and biodiversity, including the River Stort
- Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort

- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green infrastructure



### 2.4 TRANSPORT

---

2.4.1.1 High levels of car ownership and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. In addition to concerns over traffic volumes, community feedback has also highlighted key concerns about pedestrian and cyclist safety, parking and public transport provision. Whilst the Neighbourhood Plan contains policies to improve sustainable travel, the overall aspiration is to improve movement by all transport modes including walking, cycling, public transport and car.

#### 2.4.2 Objectives

- Support solutions to congestion and poor air quality
- Create and promote sustainable travel networks
- Provide vehicle and cycle parking to support sustainable travel objectives
- Manage traffic speeds and promote road safety
- Contribute to improve town accessibility and connectivity

## 2.5 EDUCATION

---

2.5.1.1 Schools in Bishop's Stortford are generally recognised to have very good standards and attract pupils from a wide catchment area. There is a demand for both primary and secondary places which exceeds the places available and this gap is forecast to widen as the population of the town grows. The unbalanced geographical distribution of secondary schools contributes to traffic congestion in the town. There is poor provision of adult education and vocational training.

### 2.5.2 Objectives

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training, adult education and wide community use.

## 2.6 HEALTH

---

2.6.1.1 Primary health care in the town is already stretched and many residents complain about difficulties with getting timely appointments with GPs, about a lack of mental health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities.

### 2.6.2 Objective

- Provide reasonable access to health services for residents of all ages



## 2.7 SPORT, LEISURE & COMMUNITY

---

2.7.1.1 Whilst the Neighbourhood Area and the town as a whole benefit from a number of sports facilities there is a high demand for additional or enhanced space, both indoor and outdoor, and a relatively low public satisfaction rating for current sports facilities within the town. The competing demands for land use create real challenges in meeting the need.

### 2.7.2 Objectives

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt for sensitively designed outdoor sport, leisure and community facilities

## 2.8 BUSINESS AND EMPLOYMENT

---

2.8.1.1 Bishop's Stortford has excellent transport links to London, the M25, Cambridge and, due to its proximity to Stansted Airport, many international destinations. It is well positioned in relation to the UK's most dynamic economies. There is an inadequate supply of modern business space to accommodate the potential for employment growth but relatively low unemployment. There is some tension

between those who wish to see local employment opportunities expand, and those who are concerned that expansion does not damage the attributes which make the town attractive.

### 2.8.2 Objectives

- Create new employment opportunities for local residents while protecting amenities for residents
- Support development in the town and commercial areas to ensure sustainable employment diversity

## 2.9 TOWN CENTRE

2.9.1.1 The town centre still has the character of a historic market town. Whilst it has suffered, like many others, from a movement towards online and out of town shopping, the occupancy rates remain high. The Neighbourhood Plan contains policies which seek to ensure that the centre remains a vibrant and attractive focus for both retail and other activities.

### 2.9.2 Objectives

- Create a more attractive pedestrian environment reconnecting with the river.
- Promote a holistic parking strategy balancing the needs of residents, businesses and visitors with the impact on the environment.
- Produce a framework for retail between national chains and independent shops.
- Identify flexible and adaptable employment uses to support the town's economy.
- Create a welcoming, prosperous and dynamic town centre through attractive development and integrated refurbishment

- To provide a balanced mix of residential, cultural, leisure and business uses within the Town Centre.

## 3 Policies

### 3.1 CLIMATE CHANGE

#### 3.1.1 Introduction

3.1.1.1 This first revision of the Neighbourhood Plan specifically recognises the importance of tackling climate change both in terms of reducing greenhouse gas emissions to minimise future global climate change, and planning for the unavoidable local impacts of climate change. Every planning application should be assessed through the prism of the necessity to do everything possible to reduce the impact of climate change.

**3.1.2 Objective: To enable Bishop's Stortford to make a significant contribution to reducing climate change and to respond to East Herts District Council's commitment to support the whole of the District in becoming carbon neutral by 2030.**

3.1.2.1 To quote from the recent report, 'UK housing: Fit for the future?' from the Committee on Climate Change (CCC): "The technology exists to deliver homes that are low-carbon, energy efficient and climate-resilient, with safe air quality and moisture levels. The costs are not prohibitive, and getting design right from the outset is vastly cheaper and more feasible than having to retrofit later."

3.1.2.2 Since the East Herts Local Plan was adopted in 2018, a number of local initiatives have been taken in relation to climate change.

Herts County Council declared a climate emergency in July 2019 and adopted a new Sustainable Hertfordshire Strategy in early 2020. East Herts Council declared a Council Change Motion in July 2019. The policies below are in line with and will help to achieve the national targets set by the Climate Change Act. They look forward to an intention by East Herts Council to adopt similar policies.

3.1.2.3 New developments must therefore be planned for low carbon emissions from now, even if the initial costs are increased. Retrofitting is more expensive in the long run, so it is essential to adopt the right approach from the beginning.

**CC1 – Carbon Emissions**

Every development should contribute to reducing or lowering greenhouse emissions in use. Encouragement will be given to proposals which go further and contribute no greenhouse emissions (net zero carbon).

3.1.2.4 A carbon reduction plan should be submitted as part of any major development application.

3.1.2.5 Local sources of clean energy are a low impact way to provide a sustainable method of reducing reliance on finite fossil fuel reserves and should therefore be encouraged. These would contribute to climate change mitigation by decarbonising part of the energy supply. They could be part either of a new-build or a retrofit in a renovation project, or as an entirely separate scheme. Developer contributions will be sought to fund new schemes.

**CC2 – Small scale energy production schemes**

Proposals for individual and community scale sustainable and renewable energy regeneration, particularly solar photovoltaic panels, local biomass facilities, anaerobic digesters and wood fuel products will be supported subject to the following criteria:

- the siting and scale of the proposed development is appropriate to its setting and position in the wider landscape
- the proposed development does not create an unacceptable impact on the amenities of local residents;
- the proposed development does not have an unacceptable impact on the biodiversity of the area.
- the proposed development does not compromise the 'essential purposes' of the green belt

**3.1.3 Objective: To build resilience in the town to unavoidable climate change, mitigate climate change effects, moderate or avoid harm and exploit beneficial opportunities.**

3.1.3.1 Much of the existing building stock has poor energy characteristics and improvements which address this should be encouraged.

3.1.3.2 There is a potential conflict between such improvements and considerations of aesthetics and conservation and there is a risk that insufficient weight is given to climate change in such cases. This risks preserving the visual characteristics of buildings which are not fit for purpose for a future which will be severely compromised by the effects of climate change, an objective which ultimately is fruitless. Policy CC3 is designed to redress this balance so that addressing climate change is considered to be paramount unless the effects of so doing are overwhelmingly adverse.

3.1.3.3 Alterations to existing buildings must be designed with energy reduction in mind and comply with sustainable design and construction standards. The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings will be encouraged, including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future.

#### **CC3 – Modifications to Existing Buildings**

a) Modifications to existing buildings the principal effect and purpose of which mitigates the negative impacts of climate change are supported unequivocally, unless the development can be shown to result in significant harm to the street scene or the amenity of neighbouring properties.

b) For the avoidance of doubt the policy in a) applies to listed buildings unless the proposed development causes material and irreversible harm to the significant historical structure or to the historic appearance as viewed from the public highway. Harm to the appearance which is not readily visible from the public highway, reversible harm to the historic

structure or harm to the parts of the building which are not of historic significance will not qualify as 'significant' harm other than in exceptional circumstances.

3.1.3.4 Buildings also need to be protected against the effects of future climate change, including rising temperatures, scarcity of water and increased flood risk.

3.1.3.5 The Committee for Climate Change report warns about the resilience of our buildings to the effects of climate change: "Efforts to adapt the UK's housing stock to the impacts of the changing climate: for higher average temperatures, flooding and water scarcity, are also lagging far behind what is needed to keep us safe and comfortable, even as these climate change risks grow. Around 4.5m homes overheat, even in cool summers; 1.8 million people live in areas at significant risk of flooding".

#### **CC4 – Design for the Future Climate**

Every development should be designed to be resilient to the unavoidable local impacts of climate change. These impacts should include all those anticipated at the time of the development for its design life. These design measures should avoid unacceptable impacts on neighbouring properties.

## 3.2 HOUSING AND DESIGN

### 3.2.1 Introduction

3.2.1.1 Bishop's Stortford has a range of architectural styles that present an attractive and recognisable local character.

3.2.1.2 Although each housing estate retains a character typical of the period in which it was built, subsequent infill and modernisation have resulted in an enormous variety of styles and appearances.

3.2.1.3 The District Plan 2018 establishes the amount of development required to meet

needs in Bishop's Stortford and across the district. This is not something that can be meaningfully influenced by the Neighbourhood Plan.

3.2.1.4 The Neighbourhood Plan focuses instead on shaping how development is brought forward to ensure that growth which complements and enhances the unique character of the town can take place in a way which does not undermine the main purpose of the Green Belt in preventing uncontrolled urban sprawl.

3.2.1.5 The policies on Housing & Design should be applied in conjunction with the Climate Change policies in the preceding section.

### 3.2.2 Objectives

3.2.2.1 The objectives underlying the policies in this chapter are grouped under the headings below:

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Identify, protect and enhance archaeological sites

#### **Objective: Promote an attractive and harmonious living environment recognising the town's heritage**

3.2.2.2 Bishop's Stortford has a blend of character liked by its residents and well represented within the Neighbourhood Area. Some areas feature generous gardens and on the edge of the built up areas open spaces allow the town to blend gradually into its rural hinterland. In these areas it is expected that

any developments will enhance this transition through the use of Garden City principles. The ongoing presence of a Green Belt transition together with the town bypass creating its own boundary will help to keep the scale and character of Bishop's Stortford as a historic market town and to prevent urban sprawl.

3.2.2.3 Hertfordshire is the home of the Garden City and, although the character of the Town was never intended as such, the predominance of green open spaces towards the edge accord with those of a mature Garden suburb. The Garden City approach to planning balances lower density of development often around the edge of towns with relatively higher density towards the centres. It also incorporates its own green infrastructure (e.g. gardens, parks, landscaping) so as to create a smooth transition between that and the rural hinterland beyond, with gardens of a size commensurate with the scale and type of dwelling.

3.2.2.4 Comments from local residents show support for lower density developments and show support for the view that landscaping and trees create an attractive environment.



Figure 1 – Development Areas Identified in the District Plan

3.2.2.5 East Hertfordshire District Council has a Strategic Land Availability Assessment (SLAA) process to identify and appraise sites that come forward through a consultation process with landowners and other stakeholders.

3.2.2.6 It contains a number of commercial and other areas with premises that are no longer fit for purpose, or that are poorly sited for good connectivity to the transport network. Priority should be given to using such 'brownfield' sites for housing, provided suitable alternative premises arise elsewhere in the Town and that opportunities for

increasing the extent and quality of local employment are forthcoming.

3.2.2.7 All development must comply with Regulation 10(1)(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended which requires that in local plans and supplementary planning documents, regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment. Within the Neighbourhood area there is the potential for land allocation to encroach on the consultation zones around a National Grid

Gas PLC pipeline detailed in Appendix 4.



**HDP1 – Residential development and redevelopment**

Brownfield re-development shall be supported subject to the achievement of high quality design that meets the requirements of other policies and does not compromise to an unacceptable level the amenity value in either neighbouring properties or for the future occupiers of the proposed development.

3.2.2.8 Bishop's Stortford should only receive the very best, attractive and sustainable development. Building for a Healthy Life 12, a Government-backed industry standard for well-designed homes and neighbourhoods, is an effective way of achieving high quality through compliance with policy. The standard sets out twelve criteria to assess the quality of a development scheme.

3.2.2.9 The District Plan 2018 acknowledges the value of lifetime homes. Proposals coming forward in Bishop's Stortford should follow the Building for a Healthy Life 12 principles and aim to be exemplary, ideally scoring twelve out of twelve greens when assessed against these criteria. In this context a 'green' against a specific criterion means that all relevant recommendations for that criterion are met.

3.2.2.10 Appendix 3 contains a summary of the AECOM Heritage and Character Assessment for the Neighbourhood Area

divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location and to identify areas without a positive style where a more innovative approach can be used.

3.2.2.11 The National Planning Policy Framework places considerable importance to the setting of heritage assets, not just the assets themselves, and this is particularly important where a large number of listed buildings create a unique historic character that extends beyond the boundary of the Conservation Area.

3.2.2.12 For sites near to or in the Conservation Area, it is expected that planning decisions will reflect the advice given in Historic England's publication 'The Historic Environment in Local Plans' or whatever advice supersedes it, in conjunction with the Bishop's Stortford Conservation Area Appraisal (CAA). The CAA is expected to guide developers in designing new buildings as appropriate for their historic settings. It also identifies many unlisted buildings that make a positive contribution to the character of the area and which do not enjoy the same protection as listed buildings. Such buildings need to be properly maintained and preserved to keep the essential character of the area.

**HDP2 – Setting and character of buildings, streets and spaces**

a) For all development proposals in, and adjacent to, the Conservation Areas, schemes must follow the relevant styles and materials set out in the Conservation Area Character Appraisal. Proposals for such schemes will be expected to demonstrate that the significance of the historic setting has been considered and sensitively factored into the

design. Schemes involving the demolition of unlisted buildings that make a positive contribution to the Conservation Area, as denoted in section 7 - Management Proposals in the Conservation Area Appraisal, will not be supported except where the contribution from replacement buildings is comparable or better, or where the public benefit of the replacement scheme in terms of its appearance and design or the viable use of the site outweighs the harm.

b) Developments will be expected to be of high quality and to sit well within their setting. Proposals for major schemes shall, unless demonstrably unviable:

- Follow the Character Management principles described in Appendix 3, depending on the Townscape Character Area (TCA) of the site.
- Be accompanied by a Building for a Healthy Life 12 (formerly Building for Life 12) Assessment. The expectation is that schemes will score green or amber against all applicable criteria. An amber score will only be acceptable where it is accompanied by a clear justification in terms of local circumstances or viability explaining why a green score cannot be achieved.
- Demonstrate that buildings, streets and spaces relate well to their location and surroundings, particularly in prominent areas.
- Preserve routes of existing roads and lanes to provide continuity with the history and morphology of the local area, unless this is demonstrably not viable.

c) Innovative designs of a high quality can be used, where it can be demonstrated that they also contribute positively to the immediate surroundings.

### 3.2.3 Objective: Promote high functionality and quality within the living environment

3.2.3.1 The achievement of high quality through good design, whether on the detailed scale within homes or on the wider scale for, say crime prevention, is encouraged by looking to meet or exceed current standards as they evolve. Best practice design principles shall be followed to ensure current and future functional and service needs are anticipated, thereby avoiding subsequent disruptive changes and contributing to the sustainability of the neighbourhood in the long term.

3.2.3.2 Sport England with Public Health England have produced Active Design guidance detailing how good urban design practice can deliver built environments that are enjoyable to live in and encourage healthy lifestyles.

3.2.3.3 The aim is for new development to deliver homes that are fit for purpose. This can relate to simply having enough space, for example for visitors and guests to promote social interaction, for bikes and push chairs to encourage sustainable transport and to store sorted waste awaiting collection under the multiple wheelie bin local policy. Consultation has revealed that homes need more space and it is recommended that the Nationally Described Space Standard in the optional DCLG Technical Housing Standards is used.

3.2.3.4 Recent changes in local lighting times have resulted in concerns about night time safety and security within Bishop's Stortford. It is important that the quality of lighting in new developments is able to allay those fears.

3.2.3.5 In order to mitigate the impacts of new development on climate change, development proposals should demonstrate how they will ensure that new dwellings and

business premises include energy-saving and carbon dioxide reducing measures that at least match, and ideally exceed, proposed regulations.

3.2.3.6 Some residents of the town have complained that unadopted roads in recent new developments have needed costly arrangements for road maintenance that could be avoided if built to a proper standard.

3.2.3.7 The Environment Agency have said that the Town is part of a wider area under 'severe water stress' and recommend the DCLG Optional Technical Standard for Water Efficiency should be applied through NP policy. Although the District Plan 2018 covers water conservation generally, the local nature of the issue argues for its specific inclusion in the Neighbourhood Plan.

3.2.3.8 Following the May 2016 House of Commons rejection of the Lord's amendment on SUDS (Sustainable Drainage Systems), where they suggested removing the automatic right of developers to connect to public sewers for surface water and encourage SUDS on every development, the Lords accepted an amendment. This now means the Secretary of State must carry out a review of the planning legislation, government planning policy (introduced in April 2015) and arising local planning policies concerning sustainable drainage.

3.2.3.9 The Stort river runs through the Neighbourhood Plan area and has a history of flooding in the town centre and of water runoff towards its flood plain, so it is vital that developments follow SUDS water management principles to minimise any adverse impact. A hierarchy of Sustainable Urban Drainage appears in the District Plan 2018 in Table 23.1.

### HDP3 – Design standards

a) In addition to other applicable criteria for design assessment, development will be required to meet all of the following criteria unless they include a clear justification for not meeting the standard:

- For all significant developments<sup>1</sup>, developers must demonstrate how the first nine principles of active design as detailed within Sport England's, Active Design Guidance (2015) have been addressed by using the Active Design checklist.
- Street lighting should achieve the standard as described in the Secured by Design publication 'Lighting Against Crime' or subsequent documents which explicitly supersede this.

b) On sites where the orientation of the buildings can reasonably facilitate roofs which face 45 degrees or less either side of due south, developers must consider the incorporation of solar energy generation. On all sites the use of solar energy or other sources of renewable energy will be supported, where it does not conflict with other development plan policies.

c) All roads on new developments will be expected to meet the criteria for adoption set out by the Highways Authority.

d) All schemes are expected to follow the principles described below:-

- Development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy, unless there are practical engineering reasons for not doing so.
- Development should aim to achieve greenfield run-off rates and ensure that

<sup>1</sup> See Appendix 2 - Glossary

surface water run-off is managed as close to its source as possible.

- Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation. The provision of balancing ponds as part of an area of public open space for recreation or wildlife should be designed to ensure the safety of other users of the space. Where SUDS are provided as part of a development, applicants should detail how it will be maintained in the long term.
- Where practicable, SUDS should be designed to ensure the sustainable drainage networks have the additional capacity required to cope with infrequent adverse weather conditions and therefore reduce flood risk.

### 3.2.4 Objective: Provide housing for all and create community cohesion

3.2.4.1 The future housing mix policy within the District Plan 2018 is identified through the West Essex and East Hertfordshire Strategic Housing Market Assessment Sept 2015 (SHMA), which sets out the Objectively Assessed Housing Need (OAHN) over the Plan period, forecasting requirements to 2033.

3.2.4.2 The District Council also uses other sources of information to forecast housing demand within the District, including its own Housing Needs survey of residents carried out in Q4 of 2014 to identify current and future demand within the District and sub-areas. The key finding from that survey for Bishop's Stortford (based on 180 respondents) is that it has a strong demand for affordable housing, particularly amongst 'concealed households' (those not living independently but who wish

to do so), indicating a lack of affordable homes within the area.

3.2.4.3 Comments from local residents shows the following:

- Strong preference for 2-3 bedroom homes
- Positive demand for bungalows
- Less preference for 4/5 bedroom homes
- Positive demand for shared ownership



3.2.4.4 The fact that the Town is only 15 minutes travel time to the major employment centre of Stansted Airport and less than 45 minutes to London and Cambridge along the M11 corridor means that housing demand is likely to exceed the District average. Feedback from local people, particularly young people starting families, shows difficulty in obtaining a place to live is a major concern.

3.2.4.5 The 2011 Census figures also show that the Town has more families with one or two dependent children and less two to three bedroom homes, compared to the East Hertfordshire District average. This argues for housing mix to be weighted away from four or five bedroom homes towards those with two or three bedrooms. Paragraph d) of policy HDP4 indicates how supply for smaller family houses could be increased by building small bungalows as part of the housing mix.

3.2.4.6 The high demand for housing coupled with the large difference between

affordable home provision policy and the current provision clearly supports the need for a pragmatic and sensitive approach to dwelling mix policy implementation. This needs to take account of the local conditions driving demand and the nature of the area itself to avoid damaging both its character and social fabric.

3.2.4.7 The policy for Dwelling Mix Strategy requires an assessment to be carried out by developers of how the mix they propose meets with local needs, within the whole of Bishop's Stortford, for schemes above a certain size. The assessment should be part of the Design and Access statement and will be reviewed as part of the East Herts Council's formal decision making process for planning applications, taking into account local factors such as affordability and availability of market homes and the trend of affordable housing waiting lists. To avoid the 'leakage' of affordable properties back into the open market, only schemes that allow the retention of affordable homes through buyback by providers, or other appropriate measures will be supported.

3.2.4.8 The Self-build and Custom Housebuilding Act 2015 obliges Planning Authorities to keep a register of those seeking to acquire land to build a home. It is expected that the register for East Hertfordshire will be used as a guide to the demand for such land when assessing the proportion of market housing allocated for this type of building in new developments as they come forward.

**HDP4 – Dwelling mix strategy**

This policy applies to residential development comprising major development (see Glossary).

a) Developers are required to submit a Dwellings Mix Strategy as part of the Design and Access Statement with any planning application. The strategy must clearly

demonstrate how the proposed development addresses the objectively identified needs within Bishop's Stortford. This must cover all needs including those for all forms of market and 'affordable' housing.

b) On schemes referred to above, the proposal shall show how it meets the criteria and requirements set out in the East Herts Affordable Housing SPD May 2020 or successor document.

c) Proposals must demonstrate that unfulfilled demand for bungalows has been considered. Subject to viability, and the achievement of appropriate density across the whole scheme, an element of bungalow development will be encouraged.

d) Proposals shall demonstrate that alternative types of purchase funding such as self-build for market housing, have been considered. The Self-build Register should be used to assess the level of demand in an area to determine the proportion of land given over to such type of building, along with other relevant factors such as the size, position, accessibility and terrain of the site.

3.2.4.9 As a commuter town primarily for London, but also for Cambridge, Bishop's Stortford sometimes suffers from a lack of "community". Provision of 'Lifetime Homes' is a way to encourage stability and social cohesion by making it easier to avoid unnecessary uprooting of households to 'upsize' or 'downsize'. Wheelchair adaptable housing standards, applied through building regulations M(2), have superseded the Lifetime Homes definition, and the District Plan 2018 advocates a flexible approach to the proportion of homes built to this standard. However, the case for building a significant proportion of wheelchair adaptable homes remains.



3.2.4.10 Integration of such accommodation into residential areas is encouraged to promote security, diversity, inclusion and community cohesion, as recommended during consultation with housing providers.

#### **HDP5 – Building for the community**

a) Housing for Older and Vulnerable people will expected to be :-

- In a suitable location where access to a choice of sustainable travel options is available;
- Within walking distance, on a safe and level route or within easy reach by passenger transport, to town centre shops and services;
- Well integrated with existing communities through the sharing of space and public access to services;

b) Where new community facilities are being constructed in association with residential development the timing of their commissioning should ensure they are available for the new and existing community from the start of occupation or, where it can be clearly demonstrated that this is not viable or practicable, in accordance with an agreed phasing policy which will deliver facilities at the earliest stage at which it would be viable.

### **3.2.5 Identify, protect and enhance archaeological sites**

3.2.5.1 Bishop's Stortford has numerous archaeological sites dating from the early prehistoric through to the Later Iron Age, Roman and Medieval periods. Existing Local and District Plans have the policies to ensure that new development sites with archaeological potential can be investigated to determine if important archaeological remains ('heritage assets') are present. These policies are considered sufficient to enable appropriate mitigation measures (further surveys, excavations, etc.) to be put in place.

3.2.5.2 Bishop's Stortford Museum should take priority on exhibiting any remains found, unless the find is of such scale and importance that it needs its own premises to conserve and display the finds.

#### **HDP6 – Archaeology**

Should new archaeological finds occur, or be expected to occur, as part of a development, that are worthy of reclamation or display, an appropriate contribution will be sought from the developers towards the costs of whatever methods are deemed by Hertfordshire County Council and/or Bishop's Stortford Museum to be most appropriate to curate, reclaim or display the finds.

## 3.3 CONTRIBUTIONS TO COMMUNITY INFRASTRUCTURE

3.3.1.1 Bishop's Stortford has a range of infrastructure needs and on-going

requirements. In order to make sure there is a consistent approach to community infrastructure and to ensure that the objectives within the Neighbourhood Plan are supported with any future development proposals, financial contributions should be made accordingly.

**CI – Contributions to Infrastructure and Community Facilities**

Where policies in the Neighbourhood Plan require contributions to new or improved community infrastructure or community facilities, they will be made through planning obligations in accordance with Policy DEL1 of the East Herts District Plan 2018 where they comply with the Community Infrastructure Levy Regulations 2010 and any subsequent amendments to them.

**3.4 GREEN INFRASTRUCTURE**

**3.4.1 Introduction**

3.4.1.1 Green infrastructure is described in the National Planning Policy Framework 2021 (NPPF) as ‘a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.’

3.4.1.2 East Herts District Plan 2018 includes a fuller definition in Appendix C Glossary as follows:

*‘Green Infrastructure is a strategic network of multi-functional greenspace, both new and existing, rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. It provides habitats for and aids migration of wildlife, flood water storage, urban cooling and local access to shady outdoor space as well as creating attractive spaces for recreation.’*

3.4.1.3 Bishop’s Stortford includes a rich and wide variety of green space resources, such as parks, play areas, sports fields, allotments, woodland, meadows and the River Stort. These make up the larger part of the town’s green infrastructure but smaller features such as hedgerows, small groups of trees, public gardens, watercourses and connecting paths also play an important part in forming a green infrastructure network.

3.4.1.4 The rapid expansion of the town has increased the demand on its existing green spaces and will continue to do so. This is having detrimental impacts on some locations.

3.4.1.5 East Herts District Plan policy BISH1 provides for a minimum of 4,426 new homes in Bishop’s Stortford for the plan period of 2011 to 2033. That represents an increase in population of about 10,000 on the 2011 population of about 38,000: a greater than 25% increase. The large areas of farmland being given over to development is inevitably reducing habitats, views across countryside and the sense of space.



3.4.1.6 Additional green infrastructure and careful management of what the town already has will be needed to address this pressure.

3.4.1.7 Climate change is recognised as causing a number of problems including prolonged periods of heat stress and drought, and increased storminess and flood risk.

3.4.1.8 It is widely recognised that green infrastructure can contribute to climate

change management. The NPPF states in clause 154 that 'New development should be planned for in ways that: ... avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks are managed through adaptation measures, including through the planning of green infrastructure;...'.

3.4.1.9 National and local government initiatives and policies are being directed at reversing the degradation of our natural environment and to reducing and managing climate change, as seen in the NPPF clause 149 et seq. and in East Herts District Plan 2018, for example in its Vision and Strategic Objectives for 2033 item 11. 'The District's rich and varied green infrastructure centred in the river valleys will have been reconnected and enhanced and its multi-functionality protected providing increased resilience to changing climates, improved ecological connectivity and new spaces for recreation and leisure.'

3.4.1.10 Local green infrastructure can contribute in a small way to limiting climate change and more substantially to increasing local resilience.

3.4.1.11 Developers need to play their part in achieving this vision. Development proposals that demonstrate commitment to provision of high quality green infrastructure by obtaining accreditation under the Building With Nature scheme will be welcomed (see: <https://www.buildingwithnature.org.uk/how-it-works> ). Developers should aim to achieve the 'Good Award' standard as a minimum.

3.4.1.12 The objectives and policies set out below seek to contribute at the local level.

### 3.4.2 Objectives

3.4.2.1 The objectives underlying the policies in this chapter are organised under the headings below

- In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.
- Protect and enhance green infrastructure for the many benefits it provides.
- Protect and enhance wildlife and biodiversity, including the River Stort
- Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort
- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green infrastructure

### 3.4.3 Objective: In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.

3.4.3.1 The need for urgent action to address climate change has been recognised by all levels of government. Hence a new section on Climate Change is included in the revised Neighbourhood Plan (see above) requiring developers to implement climate change mitigation and adaptation measures in their proposals to which reference should be made.

3.4.3.2 In Bishop's Stortford the consequences of climate change include the increased risks of drought, heat stress, pressure on water supplies and flooding. This is recognised in the Town Council's

constitutional policies on Climate Change which apply to the land and properties the Council owns, manages or is responsible for. Its policies are aimed particularly at

- Reducing energy consumption and using renewable sources and
- Reducing water consumption and planting drought-resistant plant species in its parks and green spaces.

3.4.3.3 Local concern about climate change and the need to address it is also evidenced by the Bishop's Stortford Climate Change Group. This was formed in 2015 with the purpose of increasing understanding of and encouraging action on the issue. One of the group's priorities is to support tree planting in the area.

3.4.3.4 Green infrastructure can help mitigate and adapt to climate change. East Herts District Plan 2018 recognises this in its climate change policies, for example in clause 22.2.2 which describes measures to address overheating including: *'providing green infrastructure including woodlands, orchards, street trees and green landscaping, parks, sports grounds, allotments, and green roofs.'*

3.4.3.5 Policy BISH10 The Mill Site II.(h) requires *'landscaping and tree planting to reduce urban heat island effects.'*

3.4.3.6 East Herts District Council's Sustainability SPD 2021 also describes the multi-functional role that green infrastructure has to play in enhancing environmental sustainability, place shaping, health and wellbeing. It focusses particularly on how it is essential to the district's resilience to climate change.

3.4.3.7 Green infrastructure contributes to mitigating and adapting to climate change in a variety of ways, for example by providing:

- Opportunities for recreation and movement from place to place that reduces the need for travel by car
- Woodland management and tree planting that absorbs carbon, improves air quality and provides shade
- A wide variety of habitats for nature that has been displaced or is under threat including water-based habitat
- Space for sustainable drainage and flood risk mitigation
- Land for local food production reducing food miles

3.4.3.8 Developers are already required by various District Plan policies to provide or contribute to elements of green infrastructure such as play areas, sports facilities, allotments, sustainable drainage systems and retaining existing green infrastructure.

3.4.3.9 East Herts Sustainability SPD March 2021 states in clause 4.21 that "it is essential that new provision complements existing green infrastructure. Protecting and enhancing existing green infrastructure is key, mature trees and woodlands should be retained and enhanced wherever possible."

3.4.3.10 Building on the above, Policy GIP1 below encourages developers to increase the long-term resilience of their developments and the wider community by including a meaningful enhancement of green infrastructure provision in their proposals from the outset of the design process.

3.4.3.11 Much as it would be useful, it is difficult to devise a 'one fits all' method of measurement for enhancing green infrastructure on a site due to

- the variety of its components,
- their differing value in particular local contexts, and

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- the varied condition of sites pre-development (ranging from brownfield sites have no existing green infrastructure to sites that might be well provided for with some components).

3.4.3.12 Initial proposals for seeking a percentage increase in the area of green infrastructure have therefore been amended to require developers to demonstrate how their proposals would enhance existing green infrastructure, both qualitatively and quantitatively, having regard to the requirement to increase biodiversity in accordance with policy GIP5.

#### **GIP1 – Utilising Green Infrastructure to mitigate and adapt to climate change**

a) All major developments shall provide a meaningful enhancement of the green infrastructure within the development site and connections to the green infrastructure network around the site (green infrastructure being defined in the NPPF 2021), unless it can be clearly shown that this is not technically deliverable or financially viable.

b) The green infrastructure on a site shall be, as far as reasonably practicable, publicly accessible so that the benefits can be enjoyed by all.

c) Proposals for major developments should include:

- an assessment of existing green infrastructure on the site (form, extent/quantity, benefits provided by it),
- proposals for retaining and enhancing green infrastructure on the site, assessed both quantitatively and qualitatively, to achieve the meaningful increase required by clause a) above, having regard to the net gain in biodiversity required by policy GIP5 below.

- assessment of climate change benefits and resilience of the infrastructure, and
- proposed arrangements for future long term maintenance of all green infrastructure during and post completion of development.

#### **3.4.4 Objective: Protect and enhance green infrastructure for the many benefits it provides.**

3.4.4.1 As noted in the NPPF, green infrastructure contributes to promoting healthy and safe communities. Accordingly, protection of green spaces and other features from inappropriate development is provided by various measures and designations in the planning system. Of particular application at a local level is the opportunity provided by the NPPF clause 102) for local authorities to designate valued and significant green areas as Local Green Spaces, *'for example, because of their beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of wildlife'*.

3.4.4.2 The Neighbourhood Plan made in 2017 designated a few such sites.

3.4.4.3 East Herts Council have also used the District Plan 2018 to designate as Local Green Space several areas of Bishop's Stortford which it refers to as 'green wedges' or 'fingers'. They can be found on the District Plan policy maps on East Herts Council's website and will be seen to be large areas that extend from the edges of the town towards the urban centre.

3.4.4.4 Following the Hearing Sessions of the District Plan examination, East Herts District Council was asked to consider further its approach to these designations and did so by way of a *Local Green Space Note*. This describes how it had been a long-standing policy intention to protect these green

wedges from inappropriate development and that this had been done in 1991 by way of Green Belt designation, the principle of which was carried through the 1999 and 2007 Local Plans.

3.4.4.5 The *Local Green Space Note* also commented on the character of each of the proposed wedges describing their proximity to residential development; the footpaths, desire lines and Public Rights of Way that run through them; the green routes they provide; and the open settings afforded to the conservation area and listed buildings.

3.4.4.6 The varied land uses within the wedges was also described including equipped play spaces, informal recreation areas, allotments, pocket woodlands, river environments, sports fields, school grounds and naturalised areas. The Council concluded that despite their size they still have a very local character and use. Their designation as Local Green Space was confirmed in the adopted District Plan.

3.4.4.7 Many people have spoken of the value to them of green spaces during the covid-19 pandemic when restrictions on travel and opportunities for social contact were reduced. Revision of the Neighbourhood Plan presented an opportunity to review the sites that had been designated in the original Neighbourhood Plan and the District Plan and this has resulted in the addition of many more, including smaller areas meeting generally more local needs.

3.4.4.8 The locations of these additional Local Green Spaces are shown in the Policy Maps. Descriptions of their character and special value to the local community are given in the same document, demonstrating their compliance with the NPPF 2021 clause 102 which requires that such designations should only be used when the green space is: *'a) in reasonably close proximity to the community it*

*serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.'*

3.4.4.9 The descriptions of the proposed Local green Spaces also identify where the sites contribute to the local wildlife network and *'wildlife corridors and stepping stones'* that form connections in the network, as referred to in NPPF Clause 179.

3.4.4.10 East Herts green wedges include 4 of the Town Council's allotment sites, 5 of its equipped play areas as well as some sports fields and parks. The Neighbourhood Plan extends those designations to include other areas in the town of similar value to the community including the other allotments and play spaces.



3.4.4.11 A number of other, generally smaller, green spaces are listed under policy GIP2 as *'Other Green Spaces'*. These may not meet the description of Local Green Space as set out in the NPPF but are nevertheless considered to be of local significance and value. Plans and descriptions of these spaces are also given in the documents referred to above.

3.4.4.12 Designation of these spaces is supported by the responses to a preliminary

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survey conducted in late 2020 for revision of the Neighbourhood Plan.

#### **GIP2 – Local Green Spaces and other green areas**

a) The Designated Locations listed in Policy SI1 in the 'Neighbourhood Plan for Silverleys and Meads Wards – Part 1 Introduction and Site Specific Policies' are designated as 'Local Green Spaces' in accordance with the NPPF. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

b) Development which adjoins a designated Local Green Space (whether designated in East Herts District Plan or the Neighbourhood Plan), must preserve and enhance wildlife corridors to a width to allow sufficient biodiversity and habitat conservation having regard to best practice and advice from Natural England and/or other appropriate expert organisations.

c) There are a number of other areas that have value as green spaces within the urban environment, albeit of less significance than designated Local Green Spaces. These areas are listed in the Designated Locations of policy SI1 in the 'Neighbourhood Plan for Silverleys and Meads Wards – Part 1 Introduction and Site Specific Policies'. In recognition of their value, for example, as open spaces, landscape features, barriers to noise, pedestrian or cycle routes, or wildlife pockets or corridors, any development of these 'other green areas' will be permitted only if the value and function to the community of the land will be retained in the development or will be provided on other land within the proximity of the community they serve.

d) Development neighbouring Local Green Spaces and other green areas referred to above (including those designated in East Herts District Plan) should respect entranceways and approaches to these areas and where possible situate buildings to overlook the areas to provide passive surveillance.



3.4.4.13 Increased use of green spaces, particularly during the covid-19 pandemic, has also brought its challenges. Peoples' needs vary with some looking for peace and quiet in an outdoors environment whilst others want to exercise and let off steam. Policy GIP3 seeks to encourage proposals for enhancing green infrastructure for leisure whilst recognising the need to strike a balance between competing uses, including allowing space for nature to thrive.

3.4.4.14 East Herts District Plan policy NE4 describes the range of functions that Green Infrastructure can have and the need for it to be protected and enhanced. It refers in particular to the potential adverse impacts of providing lighting (which might benefit people) on nocturnal wildlife.

3.4.4.15 The River Stort is a great asset for the town but is under-used as a landscape feature and for leisure use, a view raised consistently by local residents. Whilst steps have been taken to rectify this situation in

recent years, more could be done for which Policy GIP3 welcomes proposals.

3.4.4.16 Waterside Stortford is a collaboration between the County, District and Town Councils and other local and environmental stakeholders. It has established a riverside and countryside trail along the River Stort from the relatively new Bat Willow Hurst Country Park at the northern extent of the town to Thorley Wash Nature Reserve in the south. Signboards have been erected along the route but there are sections where accessibility could be improved (for example for buggies and wheelchairs).

3.4.4.17 The River Stort Partnership is hosted by Herts and Middlesex Wildlife Trust and comprises public, private and charitable organisations with interests in the river. Its aim is to improve the river for wildlife and people and in order to promote this has prepared the River Stort Catchment Management Plan. The plan identifies a number of projects aimed at improving the natural environment and opportunities for people to enjoy it. One such is the Towpath Project which is described as one of several 'to help improve and activate the Stort at Bishop's Stortford' and proposes to provide a new towpath surface for shared use. Another is the Stort Navigation Reedbed project which aims to restore and connect habitats up and downstream of the town.

3.4.4.18 The Stort is a globally rare habitat and the Town Council has committed in its Constitutional Policies 4.4 conservation of its habitat and promotion of biodiversity in its activities.



**GIP3 – Improve green infrastructure for leisure**

a) Proposals that seek to improve the use of existing and new green infrastructure will be supported subject to the proposals achieving a balance between its potentially conflicting range of uses (such as for recreation, exercise, peace and quiet and space for nature) and compliance with other policies. Such proposals could include:

- Provision of seating, preferably from natural products
- Improved signage
- Weather-protected information boards
- Facilities to support guided visits for schools, e.g. mooring points, hides and study centres

b) Proposals that seek to improve the leisure usage of the River Stort and that are compliant with the aims of the Stort Catchment Plan and the River Lea Catchment Partnership and Waterside Stortford will be supported subject to compliance with other policies. Such proposals could include;

- improvement of the canal and riverside paths,
- access and signage and
- biodiversity enhancement initiatives.

3.4.4.19 It is increasingly being recognised that green infrastructure needs to be maintained well and considered as a network

rather than as isolated pockets. It is only in treating it as a network that its full potential can be realised, providing for example, routes for people to walk or cycle from place to place away from traffic, connections to the countryside, and passage for wildlife. Policy GIP4 requires developers to take this into account in their design and management proposals.

3.4.4.20 The NPPF recognises this in clause 175 requiring that plans should: '... *take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure....*'

3.4.4.21 Similarly, the District Plan 2018 Policy NE4 refers to Green Infrastructure as: 'A *diverse network of accessible, multi-functional green infrastructure across the district*' and requires that development proposals should:

- 'Avoid the loss, fragmentation and functionality of the green infrastructure network, including within the built environment, such as access to urban waterways.' And
- 'Maximise opportunities for improvement to the green infrastructure network in accordance with the Council's Green Infrastructure Plan, its Parks and Open Spaces Strategy, the Hertfordshire Biodiversity Action Plan, Living Landscape Schemes, locally identified Nature Improvement Areas and any future relevant plans and programmes as appropriate.'

#### **GIP4 – Green space management and building the green infrastructure networks**

a) Developers will be expected to cooperate with the establishment of appropriate long-term arrangements for the management of green infrastructure which forms part of any major development. The developer will,

where appropriate, be required to provide financial contributions to support initial costs and/or transfer land to an appropriate body, by agreement with the planning authority. These obligations will be set in line with District Plan policy DEL2.

b) Where green infrastructure is being provided on new developments which are adjoining or proximate to existing designated Local Green Spaces (whether designated in East Herts District Plan or these Neighbourhood Plans), the design and nature of the development green infrastructure and its management arrangements shall be coordinated with those of the Local Green Space.

c) Where appropriate and feasible, development shall incorporate a network of spaces and corridors for wildlife to move across the site and into the networks in the surrounding areas.

#### **3.4.5 Objective: Protect and enhance wildlife and biodiversity, including the River Stort**

3.4.5.1 It is widely accepted that the biodiversity of nature in our environment has been degraded over many years and that we need to enhance what remains.

Hertfordshire's State of Nature report 2020, produced by Herts & Middlesex Wildlife Trust and based on recording of species since 1970, identified 20% of Hertfordshire's species as being of 'conservation concern'. Half of these have been subject to population decline, including some that have become extinct in the County during that period or are considered to be threatened.

3.4.5.2 Nationally, Government has recognised the ongoing decline of habitats and species and have responded with the Environment Act (2021). The Act includes

proposals for a mandatory net biodiversity gain on development sites with a 10% targeted increase.

3.4.5.3 East Herts District Council adopted its Sustainability SPD in March 2021. The SPD includes a chapter on biodiversity outlining the emphasis in the District Plan 2018 on delivering a net gain in biodiversity across East Hertfordshire. It notes that, whilst major development offers the greatest opportunities for large-scale biodiversity net gain, enhancing biodiversity can be delivered at a variety of scales, from householder applications right up to large urban extensions. The SPD describes ways in which this can be achieved and requires that an agreed biodiversity metric calculation should be used to assess the impact of the development. It states that a minimum 10% net gain in ecological units should be achieved.

3.4.5.4 Hertfordshire County Council's Sustainable Hertfordshire Strategy 2020 aims to improve biodiversity on County Council land by 20% by 2030, a more ambitious target than that set in the Environment Act 2021 and in East Herts SPD. The strategy also includes the County's ambition to improve wildlife countryside by 20% by 2050.

3.4.5.5 If the County's objectives are to be achieved, new development needs to play its part. In support of these initiatives, Policy GIP5 requires developers to make increased provision for wildlife habitats and biodiversity in their proposals for sites in Bishop's Stortford from the outset of the design process.

3.4.5.6 Hertfordshire Local Nature Partnership, Herts Environmental Records Centre and Herts and Middlesex Wildlife Trust have produced 'Guidance on applying 'Hertfordshire Ecological Networks' within the planning system'. This will help developers

and their consultants identify sites and species for ecological enhancement. Appendix 1 in this document provides a county wide image of ecological data. The map shows areas of Bishop's Stortford that are high or medium priority for habitat creation as well as habitat that falls under the protection of S41 of the Natural Environment and Rural Communities Act 2006. Updated and site specific information and guidance can be obtained from the bodies referred to above in addition to that available on the DEFRA Magic natural environmental data website (<https://magic.defra.gov.uk>).

3.4.5.7 Local interest and involvement in biodiversity enrichment is evidenced by Castle Park, which East Herts, in association with Bishop's Stortford Town Council, also have plans for the enhancement of, this with the engagement of a Friends group. The scheme is fully funded and the build is expected to commence in 2021. The development includes wildflower planting and improvement of river bank margins.

3.4.5.8 Other sites that could offer opportunities for biodiversity enhancement include school playing fields, verges and some of the smaller green spaces within the older housing estates. More flexible management of grassed areas, with some areas left unmown, and creation of wildflower meadows can provide enhancement of biodiversity at relatively little cost.

3.4.5.9 Trees along the verges of streets and paths provide a range of benefits including enhancing the street scene, providing shading and extending the network of green infrastructure for wildlife. Designs that incorporate these features in development as part of green infrastructure provision will be welcomed, as will initiatives by residents to promote tree planting on existing streets

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where there is adequate space and maintaining authorities are supportive.



#### **GIP5 – Protect wildlife and increase biodiversity**

a) In any new development, mature trees and hedgerows shall be retained as far as practical. New planting and other initiatives shall be incorporated as an integral part of the scheme to promote biodiversity. New hedgerow planting should contain a variety of species appropriate to the area. Woodland planting must accord with the appropriate National Vegetation Classification (NVC). Existing mature trees should continue to be part of any development proposal unless it is demonstrated that it is necessary for them to be felled or an arboricultural survey clearly demonstrates that they are not worthy of retention. Replacement tree planting should be undertaken on a minimum of a one-for-one basis. Native species must always be given preference as plants of local origin tend to establish and survive better and support more wildlife. Monocultures should be avoided.

b) Watercourses are a vital asset and therefore must be retained as part of any development affecting them, and enhanced for biodiversity. Proposals must show how the watercourse is to be incorporated as a vital asset within a development but must also ensure that wherever possible an appropriate buffer zone is incorporated between the built form and the watercourse unless circumstances dictate otherwise. Only native

species may be planted in the buffer zone. Where possible, the re-naturalisation of modified watercourses will be expected. A new development that may result in deterioration of an existing watercourse will not be supported.

c) Where significant new development restricts natural habitats, corridors for wildlife movement will be protected or created in order to benefit local biodiversity. The design of wildlife corridors will have regard to current best practice and advice from Natural England and/or other appropriate expert organisations.

d) In order to protect and enhance wildlife in the area and to increase biodiversity, opportunities to incorporate new wildlife habitats and routes of passage of wildlife (for example bat and bird boxes and holes or gaps in fences for hedgehogs) into significant new developments must be sought. Features for bats and birds must be integrated into the fabric of buildings of new development to ensure permanent gains. All building bordering green space will be expected to incorporate integrated features for wildlife. Guidance should be sought from Natural England where habitats of wildlife and protected species (e.g. badgers) are affected.

e) Assessment of biodiversity gain shall be in accordance with the Environment Act 2021.

f) The minimum net gain shall be 10% in ecological units or biodiversity value respectively.

g) If it is not feasible or proportionate for a development to achieve the required 10% increase in biodiversity value on-site alone, compensation, which in most cases should be a last resort, should, if possible, take the form of increasing biodiversity at location (s) off-site within the Neighbourhood Plan area or on nearby land. Publicly owned land within Bishop's Stortford should be considered

preferentially for siting of biodiversity offsets to provide the net increase required by clause f) above subject to agreement being obtained with the public body responsible for the land in question.

h) Development proposals should include an assessment of the following undertaken by a competent ecologist:

- an assessment of existing habitats and biodiversity value of the site,
- proposals for retaining and enhancing existing habitats and for achieving the meaningful increase required by clause f above,
- assessment of the resilience of the improved biodiversity to climate change,
- and proposals for long term maintenance of habitats during and post completion of the development,
- proposals for measuring and monitoring compliance.
- recommendations for managing green infrastructure in ways that would enhance biodiversity.

**3.4.6 Objective: Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort**

3.4.6.1 The benefits to health and wellbeing of walking and cycling have been appreciated by many people during the covid-19 pandemic; particularly so when the available

routes enable them to enjoy green spaces and nature.

3.4.6.2 The Neighbourhood Area provides many opportunities for walking, riding and cycling but the existing green spaces are not as well known or used as much as they could be. Whilst some progress has been made in the last 5 years, there remains a need for further improvement of existing footpaths and cycle paths, a requirement to improve the linkages or connections between them into and across the town and into the countryside, and for improved signage and promotion.

3.4.6.3 Furthermore the substantial expansion of Bishop's Stortford provided for in the District Plan 2018 is resulting in a number of rights of way and other paths being enclosed by development, reducing the enjoyment and sense of closeness to nature they give. The loss could be mitigated by keeping paths as open as possible and by incorporating space for nature such as wide verges and hedges and trees along the way.

3.4.6.4 Safe and attractive routes are essential for children to get to school and to encourage people to walk or cycle to local facilities and the town rather than get in a car. In earlier developed areas this can be difficult to achieve but in new development it should be a priority.

3.4.6.5 Proposals that facilitate improved or new connections between existing and proposed developments, green spaces and the surrounding countryside will be supported.

3.4.6.6 New initiatives should complement the Rights of Way Improvement Plan (ROWIP) prepared by Herts County Council Rights of Way Service for the period 2017/18 to 2027/28 dated July 2017 or updated version at the time of the application and take account of Department of Environment, Food & Rural Affairs Rights of Way circular 1/09

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Guidance for Local Authorities. The routes of rights of way can conveniently be found at [www.rowmaps.com](http://www.rowmaps.com).



3.4.6.7 Where appropriate, paths should connect with the Waterside Stortford's trail and the Parks and Beyond circular walks which take in five of East Herts managed open spaces in Bishop's Stortford.

3.4.6.8 Development of new areas can compromise the enjoyment people get from the rural character of footpaths. Developers should retain as much as possible of the rural nature of country paths within their sites.

#### **GIP6 – Enhancement of footpaths, bridleways and cycle paths**

a) Working with local and national associations such as the Bishop's Stortford & District Footpaths Association, East Herts Ramblers, East Herts Footpaths Society and the British Horse Society, proposals to ensure that existing footpaths and bridleways are well maintained and signposted and that new footpaths are created and officially designated will be supported.

b) The character and setting of existing public rights of way (PROWs) must be protected in terms of safety, directness, attractiveness, convenience and rural ambience. No new obstructions to PROWs should be introduced and any amendments should follow the guidelines in the relevant Department of Environment, Food & Rural Affairs (DEFRA) Rights of Way circular 1/09 Guidance for Local

Authorities version 2 dated October 2009 or as updated at the time of the application.

c) Bridleways for horse riders should be protected and proposals should seek, where possible, to create new cycle paths so as to provide safe and effective routes across the Neighbourhood Area. New and existing cycle tracks should be linked with the National Cycle Network where possible.

d) Footpaths across the Neighbourhood Area should provide an accessible and safe way for all residents and visitors to enjoy the rural hinterland of Bishop's Stortford. Footpaths should use surfaces appropriate to the habitat: tarmac in well-used routes; well-drained and overlaid with bark for more rural settings and none for casual paths across grassy spaces.

e) As part of any major development proposal, developers should identify deficiencies in existing PROW and other pedestrian and cycleway links within the area surrounding a site that would be used by future occupiers. Where possible, proposals should incorporate measures to maintain and enhance this network.

f) Proposals for the improvement of access to public green spaces will be supported (including access for those in wheelchairs and scooters, those who are frail and unable to walk in a robust manner and those with babies in buggies). Measures to regrade paths through the green spaces for this purpose will be supported.

#### **3.4.7 Objective: Provide essential community facilities**

3.4.7.1 Most allotments in Bishop's Stortford are currently managed by the Town Council. Demand has outstripped supply in recent times and residents can find themselves waiting for many months for a plot on the more popular sites, despite efforts

over recent years to manage demand by reducing plot size and evicting tenants who do not tend plots adequately.

3.4.7.2 New development will cause the demand to increase which must be matched by increased supply. Allotment holders and considerations of sustainability favour allotments close to the communities they serve.

3.4.7.3 Town Council policy BSP010 sets out the rationale and standards for developer contributions and the justification for the rate of contribution. This rate caters for the demand expected from the new build only (based on the rate of demand actually experienced elsewhere in the Town) and does not attempt to deal with the existing deficiency.

3.4.7.4 At the time of writing, Policy BSP010 states that allotments should normally be provided on site for developments of 500 homes or greater. The previous neighbourhood plan polices allowed developers of smaller sites to make a financial contribution instead. This can result in under-supply of allotments for new residents. To address this issue, policy GIP7 is amended to require allotments to be provided on sites for development of 350 homes or greater. At the land provision rate of 0.24 ha per 1,000 per population stipulated, the smallest allotment site would be approximately 0.2 ha.

appropriate for management purposes.



3.4.7.5 Community orchards have increased in popularity in recent years. The East of England Apples and Orchards Project lists many community orchards in Hertfordshire and Essex which, it reports, can range in size from a dozen trees to more than a 100, most of which are managed primarily for amenity value and for the benefit of local wildlife.

3.4.7.6 A few of these within 30 miles or so of Bishop's Stortford are described below:

- Rivers Heritage Site and Orchard, Sawbridgeworth: based on a historic garden nursery site with about 560 trees, on land leased to Sawbridgeworth Council.
- Ongar Community Orchard: a converted, small disused allotment owned by Epping District Council, planted with 25 fruit trees and wild flowers.
- Great Chesterford Community Orchard: promoted by the Parish Council and based on land donated to the community from a Section 106 agreement, planted in 2017 and 2018 with over 100 trees.
- Roydon Community Orchard: a small orchard planted in 1995 on unused allotment plots maintained by the Roydon Society on land owned by the Parish Council.

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3.4.7.7 It can be seen that community orchards can take various forms and operate under a variety of structures.

3.4.7.8 Consultations during preparation of the neighbourhood plan revisions have shown that there is interest in setting up an orchard in Bishop's Stortford and people who would like to volunteer to help run it. Policy GIP7 supports the creation of such a facility if a suitable site can be found. If this is arranged as part of a larger development, the orchard could form part of the development's green infrastructure and contribute to increasing biodiversity of the site.



#### **GIP7 – Improving/expanding allotments**

a) To support the population increase arising from new developments, developers of 10 residential units or more will be required to either:

- Provide space with appropriate facilities for new allotments or
- Contribute towards the expansion and/or improvement of existing allotments.

b) For developments in excess of 350 dwellings (or groups of adjacent developments which together amount to more than 350 dwellings) it will be expected that land either on or immediately adjacent to the development site is provided, unless there are clear over-riding site specific constraints or other planning policy requirements that take priority. The land shall be prepared by the developers (including facilities, fencing, land

preparation, soil improvement if required) and transferred to the allotment authority (currently the Town Council) at no cost. The provision of space for new allotments will be at the rate of 0.24ha per 1,000 population. Vehicular access will be required and the site must be chosen accordingly.

c) For smaller developments it will normally be expected that contributions will be made towards existing allotments. Where there is available land – particularly where it is part of the proposed development area – this could include the expansion of the existing allotments. Financial contributions will be calculated based on the cost of acquiring and facilitating space at the same rate as for on-site provision.

d) Proposals for creation of a community orchard for Bishop's Stortford as part of a large development or as a stand-alone development will be supported subject to the following:

- That community support for running such a facility (including the establishment of an appropriately constituted volunteer group committed to being actively involved) has been demonstrated to the satisfaction of the Town Council.
- That the land on which the orchard is to be established is appropriately located for its intended use.
- That, if it is part of other development, it is additional to provision of allotments in accordance with the preceding clauses.

#### **3.4.8 Objective: Maintain and enhance the flood mitigation function of green infrastructure**

3.4.8.1 It is widely considered that flood risk is increasing due to climate change. In addition, it is more appreciated that flooding can arise from several different sources

whereas previously consideration of the risk at inland locations was largely focussed on flooding from rivers. When flooding does occur the costs and disruption can be high and distressing to property owners.

3.4.8.2 While the River Stort provides a wide variety of opportunities for leisure activities and is a key feature of the town, it also creates a flood hazard which must be well managed and not exacerbated by new development.

3.4.8.3 The 'flood map for planning' showing the likelihood of fluvial flooding on the GOVUK website, when viewed in January 2021, shows significant areas of the town in flood zones 2 and 3 (between 1% and 0.1% and greater than 1% annual probability of flooding respectively) along the path of the River Stort, Farnham Brook tributary and an unnamed tributary that starts in Castle Gardens and extends eastwards to Birchwood and Summercroft schools on the eastern edge of the town.

3.4.8.4 Some residential, institutional and commercial properties are shown to be at risk, mostly in flood zone 2.

3.4.8.5 Flood maps in East Herts District Council's Level 1 and 2 Strategic Flood Risk Assessment – Historic Flood Map and Flood Zones Final Addendum March 2017 show a similar extent of flood risk areas and flood zones whilst additionally identifying functional flood plain where water has to flow or be stored in times of flood.

3.4.8.6 The Historical Flood Map shows areas of flooding along the River Stort and Farnham Brook that cover similar areas to the flood zone map, confirming the reality of the risk. Another map shows the potential for the increase in flood risk resulting from possible climate change scenarios, these mainly impacting on the northern part of the river flood plain.

3.4.8.7 The SFRA also produced a map of 30, 100 and 1000 year surface water flood extents. These show extensive areas at risk of flooding for all three probabilities that would affect infrastructure and property.

3.4.8.8 A recent occurrence makes the point. In August 2020, heavy rain resulted in flooding "waist high" on Stansted Road (Bishop's Stortford Independent 14 August 2020).

3.4.8.9 The valley of the River Stort through the town is steep sided exacerbating the risk to property in the lower valley floor. It is essential therefore that new development, which is often sited on the higher ground, avoids increasing flood risk by limiting its surface water discharges.

3.4.8.10 Green infrastructure can be used to provide sustainable surface water drainage and flood risk management in a way that has multiple benefits. In particular, ponds and open watercourses are more sustainable to construct; blockages and other problems are more readily identified and remedied; in general they are easier to modify or enlarge if changes (for example in climate predictions) make it desirable; and they provide many of the same benefits for the community and nature as other green infrastructure.

**GIP8 – Flood mitigation**

a) Development will only be permitted in Flood Zones 2 or 3 (as defined by the Lead Local Flood Authority (LLFA) or other responsible authority) where it has been demonstrated that it meets the requirements of the NPPF in relation to the Sequential Test and the Exception Test and a site specific flood risk assessment, or other tests specified by the Lead Local Flood Authority and in the District Plan have demonstrated that the risk of flooding has been minimised and reduced where possible and that any residual flood risk

can be safely managed. Flood risk assessments must include climate change allowances in accordance with national guidance on river flows and rainfall intensity.

b) All development must comply with or exceed the minimum standards for flood risk protection and mitigation from all sources of flooding required by the LLFA and its strategy and policies given in LFRMS 2 2019-2029 dated 18 February 2019 or as updated at the time of the application.

c) Development will be permitted only if it protects and maintains the run-off control and flood risk mitigation functions of existing green infrastructure and shall utilise existing and/or new green infrastructure to provide sustainable above ground solutions for its own drainage unless it can be clearly demonstrated

- that this is not technically or operationally viable and that any surface water drainage issues resulting from the development can be alternatively mitigated;
- or that it would adversely affect the environment or safety.

d) Where ponds or basins are used to provide control of run-off and flood risk mitigation, they must be designed to have permanent open water features to provide increased biodiversity unless demonstrably contrary to LLFA's requirements for drainage of the development. Developers should consider centralising drainage attenuation and flood risk mitigation infrastructure where feasible, for example in relation to the topography of the site and the scale of the development, to create lakes or large ponds that can be incorporated into parks (for example as at Southern Country Park) for the wide range of environmental and recreational benefits and less fragmented management arrangements that can be achieved.

## 3.5 TRANSPORT

### 3.5.1 Introduction

3.5.1.1 Transport has a vital role to play in facilitating the future sustainable development of Bishop's Stortford. With significant housing and population growth now committed for the Plan period it is essential that the revised Neighbourhood Plan support the objectives of the District Plan and HCC's Transport Plans, both revised in 2018, to address the challenges that this will bring.

3.5.1.2 The initial consultation carried out for these revisions showed that 90% of respondents believe that problems have continued to get worse in the past 5 years and that the main cause of this is the traffic impact of new development in and around the town – mentioned by 80% of respondents. Other concerns, cited by more than half of respondents, were the increasing use of residents' vehicles, the lack of safe cycle routes and footpaths, on-street parking and the resulting problems of air quality and the impact of constant construction roadworks. More than one-third of residents are also concerned about resulting increases in rat-running in residential areas to avoid congestion.

3.5.1.3 High levels of car ownership and use and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. The strategic transport context within which the traffic impact of major development in Bishops Stortford must be considered was set out in the East Herts District Plan Support document TRA 001 prepared in January 2017 and based on HCC's Comet and Essex CC's transport models and showed the challenges facing the strategic traffic impact of development on the town. It showed the overwhelming east, south-east

and north-east bound direction of a.m. peak outbound and p.m. peak inbound trips, because *“the town has a close interaction with the A120 (towards Essex) and M11 corridors .. (and) ... the interaction with the rest of the district is relatively limited.”*

3.5.1.4 Figure 2 plotting a.m. peak outbound trips from Bishop's Stortford – abstracted from TRA001 - clearly shows:

- That the greatest existing (a.m.) peak outbound movements are eastbound to M11 J8 and Stansted Airport;
- The very limited use of the western/northern by-pass to either westbound destinations or by-passing the town to reach destinations to the east, south or north;
- The creation of London Road/Thorley Street / Pig Lane / Hallingbury Road / Beldams Lane / Dunmow Road (or Church Road, Uttlesford) as an informal south-eastern 'rat-run-by-pass' route to J8 and Stansted Airport – with flows significantly greater than the western by-pass;
- Significant northbound movement via Stansted Road and southbound via London Road towards Harlow and routing through the town centre and Hockerill junction.

Figure 2 excludes inbound commuter traffic to the town centre and mainline rail station and school trips which further compound the existing level of congestion in and around the town. The potential for significant traffic impacts of development under construction and committed – nearly all of which is to the west, south or in the centre of town – and the need for major highway capacity improvements, mitigation and modal shift are therefore among the major challenges for the Neighbourhood Plan.

3.5.1.5 Community concern about the traffic impact of new development has also been reflected in the level of objections about congestion, accessibility, parking, cycle and footpath access, bus services and other transport issues expressed at project exhibitions, masterplan meetings and in objections to development applications. For example, 1,433 objections were made to the Bishop's Stortford South application in 2018 – most including transport objections. Nevertheless, the consent granted required no mitigation of network impacts on existing residents and there is public concern about the lack of response to community consultation and of the opportunity to bring local knowledge of traffic issues to the scoping of transport assessments.

3.5.1.6 NPPF paragraph 40 requires local planning authorities to *“encourage applicants ... to engage with the local community and ... non-statutory consultees, before submitting their applications”*. District Plan policy DES1 now therefore requires masterplans to be prepared and approved before significant applications are made to *“be collaboratively prepared, involving ... town and parish councils and other relevant key stakeholders ... (and) ... informed by public participation.”* Transport policies in the Neighbourhood Plan will encourage direct community collaboration in the earliest stages of masterplan-making, scoping of transport assessments and identifying mitigation measures.

3.5.1.7 Finally, there is also significant concern that, since the making of the current Neighbourhood Plan, the adoption of the East Herts District Plan; HCC's Local Transport Plan 4 and the associated preparation of a draft Growth and Transport Plan for the Eastern Herts corridor (EAGTP); and EHC's Transport Options Study for Bishop's Stortford, have not provided a clear Transport Strategy for a town

under significant development pressure. Whilst these plans have set challenging – and widely supported – sustainable travel objectives, they do not provide a clear or achievable strategy to improve accessibility and connectivity. What is required is a strategy for the town's transport improvement to manage vehicular traffic while supporting modal shift to improve accessibility and connectivity.

3.5.1.8 It is not the role of the Neighbourhood Plan to set a sustainable transport strategy for the town but in response to these plans – and in particular to the emerging EAGTP - the community has advocated making use of the existing capacity of the by-pass to better manage strategic traffic demand through the Eastern Area corridor, inter-town and even intra-town movements between the growth origins and destinations. This also creates an opportunity to reduce travel demand on the remaining town network and to mitigate impacts, calm traffic and provide capacity for sustainable walking, cycling and improved bus services on the town networks.

3.5.1.9 The Neighbourhood Plan therefore advocates and supports policies which promote this strategic approach and set out strategic transport priorities for developer contributions and other investments which make best use of the existing capacity, mitigate and manage travel demand arising from new development and invest in routes for walkers and cyclists into and within the town centre to encourage modal shift.

### 3.5.2 Objectives

3.5.2.1 The objectives underlying the policies in this chapter are to:

- Support solutions to congestion and poor air quality

- Create and promote sustainable travel networks
- Provide vehicle and cycle parking to support sustainable travel objectives
- Manage traffic speeds and promote road safety
- Contribute to Improve town accessibility and connectivity.

### 3.5.3 Objective: Support solutions to congestion and poor air quality

3.5.3.1 Traffic, parking and other transport problems were one of the key issues for the existing Neighbourhood Plan. The initial consultation carried out for this revision cycle showed that 80% of respondents believed the traffic impact of new development in and around the town has deteriorated in the last 5 years. There is also concern about the lack of response to community consultation on this and on the mitigation of impacts.



**Figure 2: AM Peak Outbound Trips from Bishop's Stortford** (East Hertfordshire Local Plan Support- Do Minimum Model Run Report, January 2017, [part of] Figure 32)

3.5.3.2 It was recognised in the transport assessments for the District Plan that major developments now under construction in the

town and in the adjacent District of Uttlesford (the southernmost settlements of which look to Bishop's Stortford as the local shopping, leisure, education and rail hub) and the permitted growth of Stansted Airport will significantly increase the demand on the constrained road network of the town including a number of routes and hotspots that experience high levels of congestion at peak times.

3.5.3.3 The NPPF 2021 provides clear sustainable transport policy guidance for plan-making and decision-taking including at:

- Paragraph 104 which says that transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed; opportunities to promote walking, cycling and public transport use are identified and pursued; and the impacts of traffic can be identified, assessed and taken into account – “including appropriate opportunities for avoiding and mitigating adverse effects”.
- Paragraph 105 which says that “development should be focused on locations which are or can be made sustainable”. This recognises that locations can be made (more) sustainable by mitigation.
- Paragraph 110 which says that, in assessing applications for development, it should be ensured that opportunities to promote sustainable transport modes can be – or have been – taken up and that any significant impacts on the transport network (in terms of capacity and congestion) or highway safety, can be cost effectively mitigated to an acceptable degree. It is clear therefore that transport impact assessments should be able to demonstrate that sustainable modes shifts

have been included and proposed mitigation measures assessed to establish that residual capacity, congestion and safety impacts can be acceptably mitigated.

- Paragraph 111 which says that development may be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or “*the residual cumulative impacts on the road network would be severe*”. The ‘residual’ impact is after mitigation measures and ‘cumulative’ impact is inclusive of impacts of all other committed developments impacting the assessed network have been taken into account in the traffic impact assessment. The requirement to prevent or refuse development on highways grounds if the conditions of paragraph 111 are met is absolute and does not form part of a ‘planning balance’ assessment of the application.

3.5.3.4 The East Herts District Plan adopted in December 2018 now contains only three transport policies. TR1 promotes sustainable transport taking account of the Local Transport Plan. Policy TRA2 reflects the general provisions of the NPPF on assessment of the impacts of development proposals in terms of acceptability in safety terms and repeats that development should not “*result in any severe residual cumulative impact*” without setting out how this is defined or assessed. TRA2(c) however adds an important policy on not having “a significant detrimental effect on the character of the local environment”. This reflects LTP4 policy 5 on affecting the rural or residential character of a road but explains that “*mitigation measures should not only achieve their transport objective but also respect the character of the area and not have a significant adverse effect*”

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*on the wider environment and the amenity of local residents, e.g. through unacceptable trip generation levels, displacement parking, etc.”* Policy DES1 on masterplanning also highlights the importance of considering transport issues from the earliest stages of plan-making and development proposals and with the involvement of the local community. DES1(II) says that *“The Masterplan will be collaboratively prepared, involving ... town and parish councils and other relevant key stakeholders. The Masterplan will be further informed by public participation.”*

3.5.3.5 HCC's Local Transport Plan 4 was adopted in May 2018 and now provides 23 updated transport policies which will apply throughout the Neighbourhood Plan Area; guidance on transport assessments and Travel Plans, including the application of a new User Hierarchy to assess applications and mitigation and prioritise transport investments; and sets out a programme of Growth and Transport Plan (GTP) preparation (including one for Eastern Herts covering transport investment in the Neighbourhood Plan Area). Key policies on assessment of transport impacts include:

- **Policy 1** on the creation of a Transport User Hierarchy to encourage greater use of sustainable transport modes by applying it to assess developments and transport investments in the following priority order:
  - Reduce travel demand
  - Pedestrians and cyclists
  - Passenger transport users
  - Powered 2-wheeler users
  - All other motor vehicle users
- **Policy 5** on Development Management including application of the LTP Transport User Hierarchy(5a); mitigation and resisting “development where the residual

cumulative impact of development is considered to be severe” (5d); and resisting “development that would ... severely affect the rural or residential character of a road or ... affect safety on rural roads, local roads and rights of way especially for vulnerable road users” (5g)

Since the LTP, unlike the Neighbourhood Plan, does not form part of the statutory Development Plan, LTP policies which are key to the delivery of Neighbourhood Plan objectives will be incorporated where appropriate.

3.5.3.6 In view of continuing community concern about the transport impact of new development it is important that this revision of the Neighbourhood Plan should adopt policies which reinforce and operationalise NPPF, District Plan and LTP4 policies on assessment and mitigation of development proposals and masterplanning which have all been adopted since the existing Neighbourhood Plan was made.

3.5.3.7 Policy TP1 therefore amends the approach of TP1 in the existing Neighbourhood Plan to require Transport Assessments, Transport Statements and Travel Plans to assess impacts based on DfT and HCC guidance with the scope of the assessment agreed by the organisations collaboratively preparing the Masterplan as identified in District Plan Policy DES1. The assessment should be based on a local Transport Evidence Base in line with National Planning Practice Guidance, which draws on current local traffic surveys, reference modelling of locally agreed junctions and networks and existing modelling data and results from assessments of committed developments including those impacting the local network from areas and Districts surrounding the Neighbourhood Plan Area. In the event the assessment shows that the proposed development has a significant

cumulative impact on network capacity and congestion, it should go on to identify mitigation measures and demonstrate how they will mitigate impacts to an acceptable degree. If the residual cumulative impact is still severe then development should be refused on highways grounds in line with NPPF guidance.

3.5.3.8 The revised Neighbourhood Plan also introduce a new policy which focuses on the traffic impacts of development on the amenity of existing residents. Existing assessment approaches focus primarily on the peak hour capacity of junctions and the network, congestion and consequent queuing delays and the safety of road users. Impacts on resident's amenity and the character of residential streets is affected by queues (which in turn affects resident's air quality – see Policy TP2) but primarily by increases in the traffic flow – primarily in the peaks but also throughout the day. Transport assessments of capacity and congestion are underpinned by forecasts of flow on all modelled links but the impact of these flows on rural or residential links where existing or potential future flows are high (including known rat-runs) and usually well recognised by the community are either not modelled or not presented in terms of impacts on resident's amenity. This omission is in spite of recent recognition of the issue in LTP4 Policy 5(g) and District Plan policy TRA2(c). Neighbourhood Plan Policy TP1(e) therefore explicitly requires traffic assessments to consider impacts on and mitigation of the amenity or safety of local residents and other vulnerable users such as walkers and cyclists and on the rural or residential character of a road and to resist development where the residual cumulative impacts is severe.

3.5.3.9 Finally it is recognised that mechanisms for monitoring and reviewing

conditions and obligations where development consents are granted on major developments has now been taken up by HCC and applied in conditions and the s106 of the development consents for District Plan policy sites BISH5 and BISH7. The importance of mitigation is recognised throughout the revised current policy TP1 – not only measures applied in response to trip generation from the development site but also mitigation of off-site impacts. Revised policy TP1(f) therefore strengthens the policy on monitoring of impacts and mitigation. The intention of the revised policy is not to be prescriptive in respect of how mitigation is to be achieved, rather it is to be clear as to the circumstances in which mitigations must be considered and included within proposals.



**TP1 – Assessing transport impacts and mitigation of development on traffic congestion and resident amenity**

a) All major proposed developments shall be supported by a Transport Assessment (for significant developments) or Transport Statement and a Travel Plan which shall ensure that suitable and safe access can be maintained or achieved by predicting the level of traffic generated, the impacts of this on congestion and the impact on the capacity of the local highway network as required by the DfT's Transport Assessments and Statements Guidance, 2014. The Transport Assessment and Travel Plan shall be carried out as part of the Masterplan process for such

developments and the scope shall be agreed by the organisations collaboratively preparing the Masterplan as identified in the District Plan Policy DES1. The Transport Assessment and Travel Plan will also be submitted to support any consequent planning application.

b) Transport modelling undertaken as part of a Transport Assessment will predict traffic flows, delays and queues and the cumulative impact of the development and other committed developments within the local network on junction capacities and resulting local highway network congestion. This should be based on a local Transport Evidence Base developed in line with National Planning Practice Guidance in plan making and decision taking. This shall take due account of actual local conditions including traffic surveys no more than 3 years old, reference modelling of future background traffic levels, transport modelling data and results from committed developments impacting the local network (including relevant modelling and development data from the adjoining authorities of Essex CC and Uttlesford DC) and employ appropriate junction and network modelling techniques as required by the current Transport Assessment Guidance or as otherwise required by the Highways Authority.

c) In the event that the Transport Assessment shows that the proposed development has a significant cumulative impact (as currently defined in the NPPF) on the transport network in terms of capacity and congestion, the assessment shall identify and demonstrate how the impacts can be cost effectively mitigated to an acceptable degree. Development shall be prevented or refused on highways grounds if, after any cost-effective mitigation has been demonstrated, the residual cumulative impact on the road network is still considered to be severe.

d) Travel Plan Statements or Full Travel Plans meeting the requirements of Hertfordshire CC's 'Travel Plan Guidance, March 2020' shall be prepared for all developments identified in Appendix A of the Guidance, taking into account the requirements of District Plan Policy TRA1, LTP Policy 5 and the NPPF with regard to sustainable transport. Where appropriate, the Travel Plan shall be based on the results of the Transport Assessment and mitigation plans to inform the objectives, targets and measures in the Plan.

e) Development will also be resisted where the residual impacts of development would either severely affect the amenity of local residents through unacceptable trip generation levels, the rural or residential character of a road or other right of way, or would severely affect safety on rural roads, local roads and rights of way especially for residents and vulnerable road users. This shall include other routes which are important for sustainable transport, active travel or recreational use.

f) In the event that the requirements described in c) and d) are met, the approval of any application for which a Transport Assessment or Statement has been carried out will be conditional upon the establishment of monitoring and review mechanisms contained within appropriate planning conditions or obligations. Prior to the first occupation of the development, the developer will be required to submit a Monitoring Framework Report for approval to Herts County Council in consultation with East Herts District Council. The monitoring framework shall show how trip generation from the development and its predicted impact on flows and junction capacities will be measured based on the Transport Assessment submitted with the application. A schedule of traffic surveys to be then conducted at incremental levels of the

development's occupancy will also be agreed. Periodic Monitoring Reports shall then be submitted to the Highways Authority and where the Report reveals that the number of vehicle movements arising from the development and the predicted impact on flows and junction capacities exceeds the forecasts identified in the Monitoring Framework the developer will be expected to pay a pre-agreed sum of money from a mitigation contingency fund (also pre-agreed).

3.5.3.10 Air Pollution is a public health issue and is of concern to Bishop's Stortford residents with more than half of those responding to the initial consultation survey for revision of the Neighbourhood Plan identifying it as one of the 5 main traffic related problems in the town.

3.5.3.11 The NPPF Para 186 requires planning policies and decisions to *"sustain and contribute towards compliance with relevant limit values and national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas"*.

3.5.3.12 East Herts District Plan December 2018 includes policy EQ4 Air Quality requiring all developments to minimise air quality impacts and include mitigation measures where there are negative impacts; noting that development will not normally be permitted where adequate mitigation cannot be provided.

3.5.3.13 Policy EQ4 also requires all applications to take account of East Herts Air Quality Planning Guidance Document the current version of which is dated 2016. Whilst the NPPF clause 186, Policy EQ4 and the Air Quality Planning Guidance Clause Appendix 2 clause 4.1 state that cumulative impacts must be taken into account, clauses 4.6 and 4.7 of the latter describe three scenarios where

cumulative impacts will occur but suggests likely ways for addressing only the first two of these, both of which involve a single developer or partnership. No methodology is suggested for dealing with a series of unrelated developments. Clause 4.1, however, is clear that assessments must take account of *"cumulative air quality impacts of committed developments (i.e. those with planning permission)"*. The post development air quality analysis must therefore include the cumulative impact of all committed but not yet built developments taking due account of the state of completion of such developments at the time that the pre-development air quality base line condition is established.

3.5.3.14 East Herts Council adopted a Sustainability Supplementary Planning Document (SPD) in March 2021. The SPD will support the implementation of policies in the District Plan including setting out technical guidance.

3.5.3.15 Section 6.1 of the SPD covers air quality and considers emissions from a range of sources, not just traffic, although the latter is acknowledged to be the main source of air pollution in East Herts. Detailed information is given on:

- national and local policy
- the sources and nature of air pollution
- its impacts on health (26,000 – 36,000 deaths every year are estimated by Public Health England to be attributable to human made air pollution)
- minimum standards required of new development (including air quality neutral status)
- submissions to be made with planning applications

### Common Policies

- design (including 'greening' – see comment below)
- emissions from transport and prioritising sustainable transport
- mitigation measures, off-setting and planning contributions
- technical requirements for impact assessment

3.5.3.16 Clause 6.30 of the SPD states that *“while there is conflicting evidence as to whether green infrastructure can help reduce concentrations of NO<sub>x</sub>, it is acknowledged that certain types of shrubs and trees are effective for trapping particles.”* Public Health England are said to support green infrastructure provision as an intervention to improve outdoor air quality and public health.

3.5.3.17 Air Quality Management Areas (AQMA) are areas where air quality objectives have been exceeded and which are declared by way of an order issued under Section 83(1) of the Environment Act 1995. Air Quality Action Plans (AQAP) set out how local councils intend to improve the air quality in those areas. Designation of an AQMA is an acknowledgement of concern in relation to public health, particularly with people who are exposed to the conditions therein, such as residents or frequent passers-by. The consequences of living in such an area are increasingly being recognised including a recent Coroners verdict which found that air pollution had made a material contribution to the death of a child in London.

3.5.3.18 Hockerill junction has been designated as an AQMA since 2007. The area concerned is shown on Figure 3 in East Herts Air Quality Planning Guidance 2016 Appendix 1 and encompasses commercial and residential properties around the junction of Dunmow Road, Hockerill Street, London Road and Stansted Road. The area is also a key

movement corridor for pedestrians and cyclists accessing the town centre, railway station and local schools. Nitrogen dioxide levels were reported in the first neighbourhood plan as being almost twice the prescribed limit in the European Union Air Quality Directive and in breach of obligations to comply with this standard. The legal annual mean limit is 40 micrograms of NO<sub>2</sub> per cubic metre of air. The 2018 Air Quality Annual Status Report for East Herts which was based in validated statistics from 2017 showed 'distanced corrected' NO<sub>2</sub> levels having fallen closer to the legal limit (the highest levels were 56.3 on London Road and 45.6 on Dunmow Road). This followed a steady reduction in the previous 3 years. It is possible that the annual mean dropped further in 2020 due to the reduction in traffic resulting from the coronavirus pandemic measures. It would be wrong to be complacent about this however as the major developments in Bishop's Stortford will undoubtedly increase traffic at the junction. The AQMA remains in place.

3.5.3.19 Consequently, impact on air quality is a material consideration and should be given significant weight in determining whether:

- Proposed mitigation is capable of achieving no further deterioration in air quality at Hockerill junction.
- Planning permission should be refused.

3.5.3.20 In its Annual Report for 2019/20 Appendix A Summary of Achievements, East Herts reported that *“the council is committed to improving air quality and tackling air pollution, particularly at Hockerill Junction in Bishop's Stortford. The council has declared this an Air Quality Management Area to coordinate everyone's efforts on tackling the issue”*. The report went on to describe installation of some electric charging points at

the council's car park on The Causeway car park as a contribution to tackling the problem.

**TP2 – Improving air quality**

a) All developments will be expected to comply with East Herts District Plan 2018 policy EQ4 whilst taking into account Policies 19 and 20 of LPT4 to increase sustainable travel behaviour and the adopted East Herts Sustainability SPD with assessments (where required) being carried out in line with the SPD as material considerations in improving air quality.

b) The planting of trees in conjunction with new development which reduce or absorb air pollution from traffic will be supported throughout the Neighbourhood Area.

**3.5.4 Objective: Create and promote sustainable travel networks**

3.5.4.1 From the earliest stage of plan-making, consideration of transport issues should identify and pursue opportunities to promote walking, cycling and public transport use, as set out in NPPF paragraph 104. As the town grows it is critical for the community that residents have good access to a wide range of facilities. The proximity of facilities and travel options available to access them will significantly influence whether people use their cars or choose to travel more sustainably, on foot, bicycle or public transport.

3.5.4.2 Whilst it is not always possible to ensure that every new resident is an acceptable distance from the full range of facilities, a sustainable development will ensure that the majority of residents are close to the majority of facilities and with sustainable travel routes to access them. This supports paragraph 10 of the NPPF which states that significant development should be in locations which “are or can be made

*sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.*

3.5.4.3 For entirely new neighbourhoods, where the facilities are an integral part of the development, this is a matter of layout and masterplanning. For lesser developments which use facilities already present, care must be taken to ensure that pedestrians and cyclists can follow the shortest possible path rather than necessarily following vehicular paths which are frequently circuitous. This may involve the creation or retention of pedestrian/cycleway ‘cut throughs’ for example. For all developments there need to be sustainable travel options for accessing offsite community facilities and green infrastructure.

**TP3 – Create walking and cycle friendly neighbourhoods**

a) All major developments should increase the attractiveness of walking and cycling and should:

- Include walking and cycle routes as part of the layout and design, with priority to cyclists at junctions; and should not include the introduction of gated communities without permeability for walkers and cyclists;
- Provide direct routes between housing and community facilities;
- Connect with adjacent routes and key destinations including:
  - Routes to enable pedestrians and cyclists to access local green spaces and the countryside around the town
  - Routes that support cycle commuting to / from key local destinations including: station, airport; Stansted Mountfitchet; the Hadhams; Ware; Harlow; Sawbridgeworth; Canfield /Takeley.

### Common Policies

- Make a financial contribution towards signage for routes to community facilities and key destinations.
  - Ensure routes are accessible for people using wheelchairs or mobility scooters.
- b) To ensure new communities are walkable, development proposals, unless demonstrably impractical, should apply the following Department for Transport (DfT) guidelines and adopt measures to achieve the following reasonable walking distances between housing and new and/or existing community facilities:
- Bus Stops (from which key services can be accessed within 30 minutes) – 400m
  - Food Store – 800m
  - Primary School – 800m
  - Doctors – 800m
  - Local Play Areas – 800m
  - Secondary School – 1000m

In line with EHDC's Sustainability SPD, a maximum walking distance of 800m from Bishop's Stortford station is sought.

c) Major schemes should provide for the early implementation of sustainable travel infrastructure to enable sustainable travel patterns to be established from the outset of occupation.

d) Developers of major schemes will be expected to outline any deviation from these guidelines and justify such deviation and the impact of the design on sustainability of travel options within the site and between the site and the surrounding area.



3.5.4.4 Despite the relatively compact nature of the town, cycling and walking are underused modes. This is due to poor cycling infrastructure, narrow streets and pavements, high traffic flows resulting in perceived safety issues, the topography of the town and high levels of car ownership. The availability of e-bikes has made cycling a realistic option in the town.

3.5.4.5 In order to give people real choice about travelling sustainably, as required by paragraph 105 of the NPPF, cycle routes will need to feel safe throughout an entire journey, with parking available at key destinations. Whilst promotion of cycling and walking through Smarter Choices Campaigns is important we also need to build a high quality, safe and convenient cycling and walking infrastructure throughout the town.

3.5.4.6 The provision of routes and paths that connect people with key destinations throughout the town will make a significant contribution to mitigating traffic and congestion challenges as the town's population grows as well as bringing health and environmental benefits. Therefore, an ambition for the town is that all key destinations are connected by a direct, legible and integrated network of walking and cycling routes. The policies that follow seek to maximise opportunities to achieve this.



**TP4 – Develop a connected town for pedestrians and cyclists with priority for pedestrians, cyclists and public transport in the town centre**

- a) Any major development shall deliver pedestrian and cycle improvements, appropriate to the size, scale and location of the scheme, that enable people to travel from the development to key destinations around the town such as the town centre, railway station, main employment areas, schools, health services and out of town retail centres.
- b) Where barriers such as busy roads, the river or railway tracks hinder significant movement by foot or cycle, applications that include measures to navigate these barriers through solutions such as bridges or other crossing facilities at road level will be expected.
- c) There will be a strong presumption against development which results in the loss of any existing cycle or pedestrian crossing over a road, railway or river unless a suitable alternative is provided.
- d) Where possible, cycle routes should be traffic free or segregated physically or by line markings. Cycle lanes should not be created on roads where roadside parking would be allowed alongside them. Routes should aim to keep road crossings and changes in level to a minimum and cycle routes should avoid unnecessary gradients. Routes should normally be suitable for those with wheelchairs, frames, buggies or other mobility aids.

e) In line with section 8 of EHDC's Sustainability SPD, motorists are required to give way to cyclists at junctions on shared use paths or on roads. On main roads junctions this may include provision of raised tables, advance stop lines or a cycle phase at traffic lights.

f) Cycle routes should be built to high quality design standards such as the NCN (National Cycle Network) Standards or London Cycle Design Standards and, to the extent that is consistent with the viability of the development, include the following features:

- All season use.
- Sealed surface.
- Width in keeping with recommended guidelines and standards as mentioned above.
- Suitable for leisure and utility use.
- Lighting.
- Suitable for wheelchair and mobility scooter users.
- Clear signage and communication of routes.
- Integrated with public transport nodes.
- Removal of existing barriers reducing accessibility and no new ones added.

g) Major development schemes should provide for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel patterns to become established from the outset of occupation.

h) Development that seeks to support or contribute to the following proposals will be encouraged:

- Designated Locations as defined in section policy S11 of the 'Bishop's Stortford Neighbourhood Plan for Silverleys and

Meads Wards – Part 1 Introduction and Site Specific Policies’.

- Recommended routes and improvements identified through the Town Council approved Bishop's Stortford Cycle and Walking Masterplan Study conducted by Sustrans (2016).
- Routes to enable pedestrians and cyclists to access local green spaces, the countryside around the town and Hatfield Forest as a key local leisure site
- Routes that support cycle commuting to key local destinations: station; airport; Stansted Mountfitchet; Hadhams; Ware; Harlow; Sawbridgeworth; Canfield/Takeley.

3.5.4.7 Community feedback has shown continuing concern with bus service provision in Bishop's Stortford including problems relating to reliability, routing, lack of real time information, congestion on roads causing bus delays, unconnected train and bus timetables and the availability of cheap car parking. These all impact on the ability to offer bus travel as a meaningful alternative to the car and impact on those who do not have access to a car. Additionally, a number of bus stops are poorly located contributing to increased congestion in the town centre.

3.5.4.8 Paragraph 104 of the NPPF calls for opportunities to promote public transport use at the earliest stages of plan-making and development proposals and goes on, in para 110, that applications for development should give priority to “facilitating access to high quality public transport”. HCC's Local Transport Plan LTP4, adopted in 2018, has therefore established a ‘User Hierarchy’ for evaluating applications and identifying transport investment priorities which ranks bus travel above all other transport modes apart from walking and cycling.



3.5.4.9 Increasing bus use in Bishop's Stortford requires provision of a regular, reliable service, close to where people live, supported by real-time information and high quality equipment and facilities from which the town centre, rail station and commuting destinations can be accessed. It is also important that Bishop's Stortford has an effective transport interchange between buses, trains and other modes of transport – including cycling and walking. Redevelopment of the bus and train station interchange into an efficient transport hub equipped for passengers in all weathers would present a modern gateway to the town, attractive to residents and visitors alike.

#### **TP5 – Better Bus Travel**

a) Significant developments should normally be served by a regular bus service to the town centre and major commuting destinations. Where new residential development is not within 400 metres of an existing bus stop from which key service destinations can be accessed within 30 minutes, then developers may be expected to fund net additional bus services and supporting technology to provide real-time service information, through a planning obligation or otherwise. Such subsidy should ensure that the service continues to run from commencement until beyond the full occupation of the development.

b) Bus stops shall be of an appropriate high standard of design and shall include but not be limited to:

- being fitted for the display of Real Time Information.
- being fitted with 'all weather' seating and shelter.
- being accessible for people with disabilities.

c) In order to achieve improvements in facilities and services and a co-ordinated service plan for Bishops Stortford as a cross boundary public transport hub, facilities provided under this policy shall have regard to the Hertfordshire County Council's Intalink Bus Strategy 2019, the Quality Partnership and be delivered in cooperation with Essex CC and service providers.

d) Where the encouragement of public transport use is proposed as a mitigation measure for any development, the use of developer contributions to enhance existing key bus corridors by the provision of appropriate priority bus measures (excluding bus lanes where only a single carriageway is available), will be supported.

3.5.4.10 2010 School Census data<sup>3</sup> indicated that the main mode of travel to school among primary age children was walking. For secondary school children the main mode of transport is bus. Nevertheless 35% and 23% of journeys to primary school and secondary school respectively were made by car and it is noticeable that congestion levels around the town are higher during school term periods. Cycling mode share was low and only marginally increases between primary (1.8%) and secondary school (2.8%). HCC are

<sup>3</sup> 2010 School Census data (Urban Transport Plan-Stage 1 report, Steer Davies Gleave)

undertaking further work to obtain baseline school travel data in the County in support of school travel planning.

3.5.4.11 HCC's Local Transport Plan 4 notes that *"increases in journey length for education trips and increases in 'trip-chaining' where people combine trips for two or more journey purposes, such as dropping off children to school, commuting and shopping, is making it harder to achieve modal shift away from cars."* LTP4 Policy 3 (c) therefore supports the preparation of school travel plans to encourage behavioural change.

3.5.4.12 Local Authorities have a duty to promote the use of sustainable travel and transport<sup>4</sup>. The vision for Hertfordshire County Council is to increase opportunities for children and young people to make journeys to schools and colleges by sustainable means by encouraging schools to adopt school travel plans and promoting the Modeshift STARS scheme.

3.5.4.13 Within the Town there are a number of important school pedestrian travel routes that are perceived as having poor and unsafe crossing facilities and/or excessive traffic speed.

3.5.4.14 The developers of significant residential developments are expected to work with local schools to identify appropriate traffic mitigation measures and support school travel plans.

**TP6 – Safer, sustainable school travel**

a) For significant and larger major developments, developer contributions specified within appropriate Planning Obligations such as S106, will be sought to

<sup>4</sup> Department for Education Home to School Travel and Transport Guidance, July 2014 (Updated December 2016)

ensure that the residents of new developments can travel safely by sustainable modes to schools that serve their area. Proposals that include any or all of the designated elements in (b) below will be encouraged.

b) There will be a strong presumption against development that does not include or does not provide funding for any of the following designated elements where it is reasonable to expect (given the location and nature of the development) and viable to do so.

- Street design measures in the vicinity of schools to improve safety of children traveling to school on foot and by bike.
- Safe school drop off and pick up zones.
- Funding or part funding of new or diverted school bus or school shuttle services especially if there is a lack of alternative sustainable travel choice.
- Improvements to enhance the safe passage of pedestrian and cycle traffic through Designated Locations listed in policy S11 in the 'Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards – Part 1 Introduction and Site Specific Policies'.

### 3.5.5 Objective: Provide vehicle and cycle parking to support sustainable travel objectives

3.5.5.1 In addition to high quality routes, high quality cycle parking is required to make cycling a genuine transport option, as set out in paragraph 104 of the NPPF. Cycle parking needs to be provided within the development site and additional parking provided at community destinations off site, to take into account the additional cycling generated by the new development. Cycle parking needs to be secure, covered and in a safe location for the cyclist.

### TP7 – Cycle parking

a) Sufficient, secure and waterproof cycle and, where appropriate, powered two-wheeler storage facilities shall be provided for users of new residential, educational, health, leisure, retail, employment and business developments (to be determined on a site specific basis). These should be positioned in easily observed and accessible locations.

b) In addition to meeting the requirements of East Hertfordshire Vehicle Parking Standards for cycle parking on the development, major developments are also expected to make financial contributions towards the provision of cycle parking at key destinations such as schools, the railway station, the town centre and leisure centres.



3.5.5.2 Community feedback has highlighted that residential parking and other factors affecting its use is a problem in the town. There are a range of issues:

- Increased demand for parking as the town grows.
- Insufficient off-road parking on new and existing developments leads to parking on roads impacting on traffic flow and pedestrian/cycle safety.
- A lack of off-street residents parking which is contiguous with, and part of, each numbered property.
- Poorly designed parking courts.

- A lack of residential electric vehicle charging facilities.

These problems of residential parking are compounded by non-residential parking issues such as commuter and town centre workers parking in residential streets which can cause problems. Residential Parking Zones and restricted parking schemes are being considered to address this.

3.5.5.3 The dimensions of garages are often too small to accommodate a car, together with bicycles and some storage space. Many planning and highways authorities recognise this and require specified minimum dimensions for a garage to be counted as a parking space.<sup>5</sup>

3.5.5.4 Parking courts have proved unpopular and, where poorly designed, lead to a poor visual appearance due to ambiguous responsibilities for maintenance, unattractive expanses of hard surfacing or cars, and a poor street scene. Residents have complained about the inconvenience created by a separation between parking and the corresponding property, particularly when heavy objects must be transported.

3.5.5.5 NPPF Para 104(e) acknowledges that "... streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places". The District Council's currently adopted Supplementary Planning Document (SPD) 'Vehicle Parking Provision at New Development' dates from 2008 and an updated version is currently in preparation. The Council's adopted Sustainability SPD also

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<sup>5</sup> For example Essex 7m x 3m

Basingstoke: 6m x 3m

Burgess Hill: 7m x 3m

provides that new development should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles. This policy applies these new higher design standards to new residential development wherever and as soon as appropriate.

**TP8 – Residential parking**

a) Off-street parking which is contiguous with, and part of, each numbered property is strongly preferred. Parking courts may be permitted provided that they:

- Are built to Secured by Design standards or equivalent and adequately lit.
- Serve a small number of properties, for example no more than five, except in the case of flats where a single block or two closely adjacent blocks may be served.
- Are overlooked by surrounding dwellings.
- Are clearly visible and easily accessible from the property served.
- Are aesthetically pleasing and complement the street scene both when full and partially empty.
- Have a sense of place and are designed to encourage ownership.
- Have regard to any design guide published in association with this plan.

b) The road layout at the approaches to parking courts must be designed so that residents will be encouraged to use them in preference to parking on the street. This will normally be achieved by ensuring that:

- The entrance to parking courts precedes the dwelling when approached from the distributor road or other access serving the development.

### Common Policies

- The distance to be travelled from the distributor or access road to the parking space is comparable with or less than the distance to the 'on street' parking opportunity nearest to the property.
- Access to the parking court is easy to negotiate and that parking spaces are sufficiently wide that they are easy to use.
- The walking distance between the vehicle and the dwelling to which it belongs (or to the relevant entrance to the block in the case of flats) must normally be no more than 20m via a paved route.

c) Applications for conversions and/or demolition and rebuild of garages for living accommodation will be supported only where it can be demonstrated that adequate off road parking is provided for the sole use of the property in accordance with the provisions of the District Council's adopted or, where appropriate, emerging Supplementary Planning Document 'Vehicle Parking Provision at New Development'.

d) Applications for residential development that includes a reliance on parking on existing streets shall not be permitted if this would result in a material adverse impact on the safety of road users including cyclists and pedestrians.

e) Applications for major residential developments should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles in accordance with EHDC's Sustainability SPD.



3.5.5.6 The future increase in the town's population and housing growth within and beyond the Neighbourhood area will inevitably put pressure on already stretched parking availability for workers, commuters, shoppers and visitors – particularly in the town centre. A balance is therefore required that results in adequate parking provision to maintain and enhance the vitality of the town whilst at the same time encouraging the use of sustainable travel modes.

3.5.5.7 Community feedback has also highlighted that parking is a problem in the town. There are a range of issues:

- Increased demand for parking as the town grows.
- Sub-optimal use of parking spaces, for example allocated contract car parking spaces for commuters are often unused and unavailable to the public at weekends.
- Concentration of car parks and access to them in the north of the town centre which worsens congestion in key hotspots.
- Lack of town centre parking accessed from the south of the town.
- Inefficient entry and exit arrangements that contribute to congestion problems.
- Insufficient off-road parking on developments leads to parking on roads impacting on traffic flow and pedestrian/cycle safety.

- Commuter, town centre workers and long-term airport related parking in residential streets can cause problems.

3.5.5.8 NPPF paragraph 104 (e) highlights that “*patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places*”. It also places significant emphasis on measures to stimulate town centres and enhance their viability. District Plan Vehicle Parking Provision Policy TRA3 reflects these objectives and requires that non-domestic car parks for users of educational, health, leisure, retail, employment and business developments:

- Provide sufficient secure, covered and waterproof cycle and powered two-wheeler storage facilities;
- Provide charging points for low and zero carbon vehicles at public car parks associated with major developments (including those for Park and Ride facilities); and
- At non-domestic private car parks, the Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user.

The Neighbourhood Plan supports these District Plan policies to reduce car parking demand and make more efficient use of existing and new capacity in the town in support of sustainable travel objectives.

3.5.5.9 The District Plan Town Centre policy BISH2 also references Bishop's Town Centre Planning Framework prepared in 2017. This makes no policy recommendations but notes that:

- A 2015 Parking Demand Study found that by 2021, parking demand would exceed supply by around 280 spaces - further

exacerbated by future development in the town to 2026.

- The supply of short stay car parking in the town centre will be increased in line with demand, as a result of housing growth.
- A new public short-stay car park at the station will help to provide car parking for this area of the town centre.
- The Old River Lane (ORL) site is well-located for car parking and could provide for future parking demand but would need to be carefully mitigated, but...
- ...went on to recommend a new multi-storey car park to the north of Old River Lane to increase car parking capacity in the town centre and serve the central shopping area.

The new 546 space multi-storey car park to the north of Old River Lane received consent in 2019 and is now complete but the redevelopment of the existing ORL (Policy BISH8) is unresolved and is subject to preparation of, and consultation on, an SPD in 2022.

3.5.5.10 The Town Centre Planning Framework recommendations appear to have the potential to fuel short term supply-led demand for town centre car parking significantly in excess of the 2015 Parking Demand Study at a time when activity levels appear to be in decline or uncertain for many traditional town centre uses. At the same time there are a number of policy initiatives in support of the Local Transport Plan's sustainable travel objectives including:

- EHDC's support for Shaping Stortford's bid to HCC in December 2020 for Sustainable Travel Town status. This bid included a change in the Council's parking and spatial planning policies, including the abolition of free parking provision in the town centre

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and no net gain in parking spaces both on-street and in off-street facilities.

- The Bishop's Stortford Park and Ride Feasibility Study for EHDC in 2018 assessed the potential demand for a Park & Ride service against the costs of operation. It concluded that multiple edge-of-town sites produced town centre traffic reduction benefits based on the anticipated demand from town centre retail and work (but excluding rail commuter) trips but is unlikely to be financially viable without significant reductions in town centre car parking capacity and increases in charges. Whether the socio-economic and sustainability policy benefits would attract funding subsidies for a public or privately funded project was not assessed.

3.5.5.11 In the light of these findings and changing policy directions, the Neighbourhood Plan supports sustainable travel policies and initiatives to manage public parking in the town by reducing both demand and net additional supply in the town centre and supporting alternatives including mode switching (including cycles and electric vehicles), pricing policies, shared public use and park and ride initiatives where they are financially or economically viable.

#### **TP9 – Parking in and around the town**

a) Developments resulting in the net loss of public car parking spaces in the which are designed to serve the town centre will be permitted where an appropriate level of mitigation measures are provided which encourage modal shift away from car use or otherwise result in a reduction in demand resulting from the development. Reductions in the number or significant changes in the location of existing car park spaces should be justified by past and forecast usage statistics provided to the developer by the car park owning authority or other owner.

b) Developments leading to the increase of public parking provision on existing parking sites (for example by over- or under-ground multi-decking) will be supported provided:

- They are designed to be in keeping with the surrounding area or as a piece of quality architecture in their own right contributing positively to the aesthetics of the building stock in Bishop's Stortford and
- There is a demonstrated need, based principally on considerations of town centre vitality, which will not realistically be fulfilled by modal shift.

c) Effective traffic demand management in the town centre in the next five years will be strongly supported where viable to do so through parking measures including:

- parking restrictions on new developments and changes of use,
- edge-of-town park and ride facilities to intercept rail commuters and other long stay town centre users, and
- other parking demand management approaches.

Financial contributions will be sought from developments to support the viability of such approaches where they encourage modal shift and sustainable travel.

d) Short period free parking places, sponsored by or integral to new retail developments outside the town centre consistent with the NPPF sequential test, will be supported, where appropriate. Reserved places for disabled parking close to shops and other facilities should be an integral part of any development which includes parking spaces.

e) Applications for non-domestic development or changes of use that include a reliance on parking on existing streets shall not be permitted if this would result in a material

adverse impact on the safety of road users including cyclists and pedestrians.

f) Applications for major non-domestic development should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles in accordance with EHDC's Sustainability SPD.

### 3.5.6 Objective: Manage traffic speeds and promote road safety

3.5.6.1 Road safety continued to be raised as a concern by residents during the consultation process. The problems of speeding traffic are compounded by narrow or non-existent pavements and a lack of suitable crossing points which act as barriers to pedestrian and cycle movement and are also constraints for those with reduced mobility. Reducing vehicle speeds and introducing traffic calming measures can also reduce carbon and other emissions.

3.5.6.2 Given the high levels of car ownership and use in the area, creating and managing neighbourhoods so that traffic speeds and road layouts are safe is fundamental. Policy 15 of HCC's Local Transport Plan 4 commits the council to manage the network to achieve appropriate speeds in the interests of safety, other road users, and the environment through its Speed Management Strategy which introduces zonal rural speed limits and increases the number of roads that could have 20mph speed limits. This approach should be applied when assessing and mitigating the impact of new development and prioritising investment on the existing highway network of the town.

3.5.6.3 In the case of new development, District Plan policy TRA2 reflects the requirements of the NPPF paragraph 110(b) that development proposals should ensure

that "*safe and suitable access to the site can be achieved for all users*" and this should include a design speed of not more than 20mph for new roads outside main access routes in line with HCC's Roads in Hertfordshire: Highway Design Guide.

3.5.6.4 The addition of significant new housing developments will require careful design to create a safe environment for all road users. In addition, the increase in traffic volumes generated by these developments may potentially have a detrimental impact on road safety in key areas which form part of the wider travel network. HCC's Local Transport Plan 4 contains a commitment to develop a methodical and proactive 'Safe Systems' approach to identifying safety issues and improvements on the network which, when developed, has the potential to be applied to guide road infrastructure design in the town.

3.5.6.5 In the case of new development, District Plan policy TRA2 reflects the requirements of the NPPF paragraph 110(b) that development proposals should ensure that "*safe and suitable access to the site can be achieved for all users*". NPPF paragraph 108(c) also goes on to say that any significant impacts on highway safety of the network should be cost effectively mitigated to an acceptable degree and this policy is designed to promote road safety at new developments and across the town as a whole.

#### TP10 – Traffic speeds within new developments

New residential developments shall include a readily understandable street hierarchy with a design speed of not more than 20mph for roads outside main access routes. It must also enable their use by refuse, emergency and delivery vehicles. In order to achieve this, the use of alternative strategies is encouraged, including the use of shared spaces and speed-

activated signage. Traffic calming and other measures should be designed to achieve appropriate speeds in the interests of permitting safe passage by all road users and reducing carbon emissions.

#### **TP11 – Promote road safety**

a) All development applications requiring a Transport Assessment or Statement and Travel Plan as required in Policy TP1 above will include an analysis of the impact of the development on road safety. The road safety assessment will be based on an analysis of traffic flows and accident data for the local highway network including identified safety hotspots.

b) The transport and safety assessments shall identify works to mitigate unacceptable road safety impacts based currently on the Department for Transport's Manual for Streets and, when appropriate, HCC's Local Transport Plan 4 Policy 17(b) to develop a 'Safe Systems' approach to co-ordinate a mix of safer roads, speeds, vehicles, and road users.

### **3.5.7 Objective: Contribute to improve town accessibility and connectivity**

3.5.7.1 It is important that the planning system supports transport investment in Bishop's Stortford as a vital part of making the town an attractive place to live, work, play, visit and shop. The District Plan commits the town to high levels of growth in the plan period and, given that the cumulative impact from development will place additional demands on accessibility, connectivity and ease of movement in the town, the Neighbourhood Plan seeks developer contributions to the necessary transport infrastructure to achieve this.

3.5.7.2 This principle is set out in paragraph 55 of the NPPF 2021 which says that "*local*

*planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations".* Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 57 goes on to say that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fair and reasonable in relation to the development in order to ensure that it remains viable.

3.5.7.3 District Plan Policy DEL2 commits the Council to use a range of planning obligations on these terms to provide infrastructure including that for sustainable transport modes and highway improvements. Such obligations are usually, but not exclusively, required in the form of financial contributions. The policies are quite clear that such financial contributions must be related to the direct effects of a given development, rather than being put into a pot to fund general improvements.

3.5.7.4 In East Herts financial contributions are sought under Section 106 of the Town and Country Planning Act and by HCC using their Planning Obligations Toolkit in order to secure financial contributions towards the provision of infrastructure and services. Paragraph 25.3.3 of the District plan says the "*District Council will also give consideration to introducing a Community Infrastructure Levy (CIL) in order to support the provision of future infrastructure schemes"* and, if so, the Neighbourhood Plan could be future-proofed through a commitment to identifying projects which could be funded through the neighbourhood portion of CIL should the charging schedule be adopted during the plan period. However, in the

absence of CIL, there is currently no mechanism for Town or Parish Councils to collect financial contributions via s106 agreements. The policy will therefore allow Bishop's Stortford Town and Thorley Parish Council to be consulted on and influence the District Planning Authority's s106 negotiations with the developer.

3.5.7.5 District Plan Policy TRA1 (II) says contributions may be required towards the facilitation of strategic transportation schemes identified in the Local Transport Plan and other related strategies. Local Transport Plan 4 requires HCC to prepare the Eastern Area Growth and Transport Plan (EAGTP) which will set out a comprehensive transport investment packages, programmes and projects by prioritising investment proposals from the LTP and other relevant adopted local transport and active travel strategies for the area. The Consultation Draft of the emerging EAGTP has been reviewed in early 2021 and issues raised on the need for a clearer sustainable transport strategy and revised intervention priorities to support the objectives of this revision cycle of the Neighbourhood Plan. A revised GTP is expected to be adopted later in the year.

3.5.7.6 Policy TP12 therefore supports planning obligations seeking developer contributions to improve town accessibility and connectivity including:

- transport improvements to be delivered through District Plan site allocations BISH3 – BISH10 and identified traffic and transport mitigation measures required as part of planning consents for development at those sites; and
- sustainable transport projects and programmes in the finally adopted EAGTP and other relevant adopted strategies including:

- Bishop's Stortford Transport Options Report
- Bishop's Stortford Parking Study
- Bishop's Stortford Town Centre Framework
- East Herts Infrastructure Delivery Plan
- Bishop's Stortford Walking & Cycling Strategy (SUSTRANS)

**TP12 – Financial contributions to improve town accessibility and connectivity**

a) Financial contributions will be sought from developers utilising s106 agreements and HCC's planning obligation toolkit to mitigate traffic impacts of development, promote sustainable transport and deliver improvements in the neighbourhood area to town accessibility and connectivity for pedestrians, cyclists, bus and vehicle users which are identified in approved transport investment programmes.

b) Should East Herts District Council introduce a Community Infrastructure Levy (CIL) during the Plan period The Town Council and Thorley Parish Council would seek to identify projects which could be funded through the neighbourhood portion of CIL. Otherwise they will seek to influence the relevant Planning Authority's negotiations on planning obligations with the developer to ensure that development finances unspecified transport mitigations and improvements sought through Neighbourhood Plan policies on a case-by-case basis.

**3.6 EDUCATION**

**3.6.1 Introduction**

3.6.1.1 Schooling in Bishop's Stortford is generally recognised to be high quality.

3.6.1.2 However, recurring concerns about education in Bishop's Stortford are:

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- There are not enough school places to feel confident that one's child can get into the nearest school (primary) or the preferred school (secondary).
- There is insufficient Adult education and Vocational training in the town.

3.6.1.3 The location of primary and secondary schools in the town is shown in figure 3.

3.6.1.4 The area is well served in relation to the number of secondary school places available. However, their high quality leads to high popularity and many families outside the town seek secondary school places in Bishop's Stortford. Hertfordshire County Council data indicates that 52% of the 2021 student intake to Bishop's Stortford schools (excluding Bishop's Stortford College, which is an independent fee-paying school), totalling 523 pupils, were residents of the town.

3.6.1.5 Currently, all primary and secondary schools are at, or near capacity in Bishop's Stortford and forecasts suggest that demand is likely to increase in line with housebuilding. New primary and secondary schools are planned or under construction to accommodate the increased population which will arise.

### 3.6.2 Objectives

3.6.2.1 The policies in this section seek to achieve the following objectives:

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training, adult education and wide community use.

### 3.6.3 Objective: Support the creation of new school places to accommodate population growth

3.6.3.1 At present there is both a perceived and an actual shortage of primary and secondary school places in the area, although, the perceived shortage is greater than the actual shortage. Any new development must take the need for extra school places into account.



3.6.3.2 New developments must be informed by travel plans which include measures to encourage the use of transport other than private cars.

#### EP1 – School availability

Development will only be permitted if sufficient local primary school places exist or are made available for all additional children arising from a development and adequate secondary school places exist or are made available in Bishop's Stortford in schools that are reasonably accessible from the proposed development or the developer makes contributions (whether financial or otherwise) requested by the Education Authority, to enable any shortfall in provision caused by the development to be addressed.

**EP2 – New secondary school places**

Proposals for developments which create new secondary school places to serve new developments, taking account of guidance from Hertfordshire County Council will be welcomed.

**EP3 – New primary schools**

Proposals for new primary schools to serve new developments, taking account of guidance from Hertfordshire County Council will be welcomed.

**EP4 – Pre-school and early years**

Proposals which provide pre-school and/or early years' places will be welcomed.

**EP5 – Travel plans**

The location and access arrangements of new schools should minimise vehicular congestion and traffic impact. Proposals which incorporate travel plans that include measures to encourage the use of transport other than private cars will be supported.

**3.6.4 Objective: Maintain or improve current high standards of education in the Neighbourhood Area**

3.6.4.1 Planning should enable new schools and existing schools to maintain the high standards currently enjoyed by Bishop's Stortford. In part, this means that existing schools must be able to maintain high quality buildings.

3.6.4.2 The aesthetic design of any new school buildings should take into account other prominent buildings and geographical features. The design and appearance of new schools or improvements to existing schools should be in keeping with the innovative, creative and important work which occurs inside them.

**EP6 – High quality design**

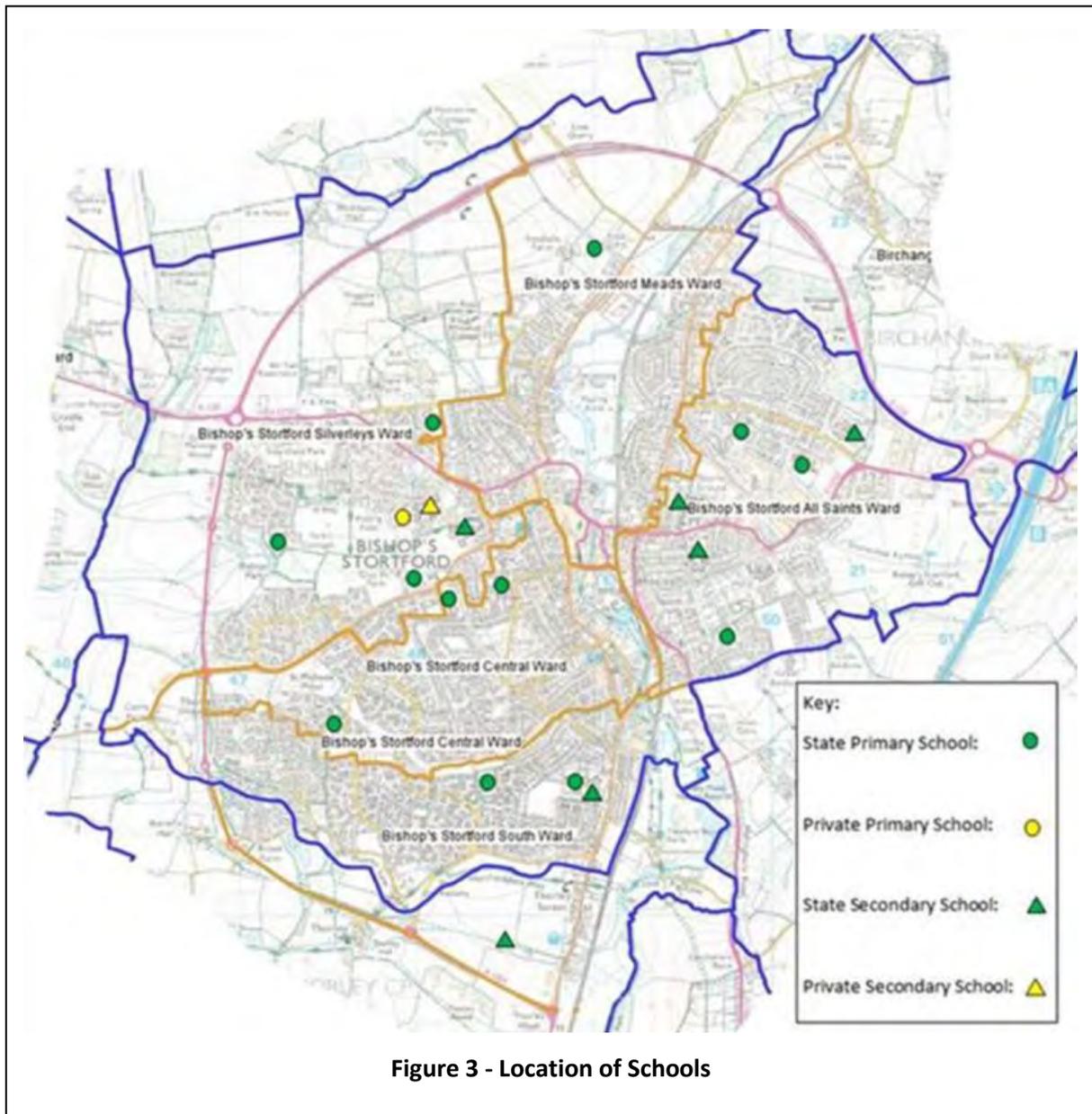
a) Proposals for new or renovated educational buildings must complement local features and demonstrate a high quality aesthetic. They must be fully accessible to all and incorporate full consideration with respect to sustainability.

**3.6.5 Objective: Enable the provision of vocational training, adult education and wide community use**

3.6.5.1 Consultation feedback indicates dissatisfaction with the level of adult and vocational training available in the area and new development provides the opportunity to ensure that the appropriate facilities are available.

3.6.5.2 Space is precious. Therefore developments must include, within their building design, opportunities for multiple and flexible use.

**EP7 – 16-19 Vocational Education, Adult Education and Community use**



**Figure 3 - Location of Schools**

a) Proposals for dedicated facilities for 16-19 vocational education or training or training for those with special needs, whether on a new or existing site, will be encouraged, provided they are consistent with the requirements of all other policies.

b) Additional secondary schools should not be considered unless it has first been demonstrated by the developer that the 16-19 vocational education and training needs can be met locally.

c) Proposals for new school accommodation will be required to be designed to

accommodate adult and vocational education and/or community use outside of school hours unless it can be demonstrated that this is either not practical or not viable.

### 3.7 HEALTH

#### 3.7.1 Introduction

3.7.1.1 Primary health care in the town is already stretched and while praising the quality of the medical care provided, many residents complain about difficulties with getting timely appointments with GPs. There are also concerns about a lack of mental

health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities. However, the Health Profile published in June 2015 by Public Health England showed that the health of people in East Herts is generally better than the England average.

3.7.1.2 The annual patient surveys carried out by the practices (e.g. Church Street) shows patients were unhappy with the numbers of GPs available, the state of the premises of Church Street and South Street, and with the appointments systems.

3.7.1.3 Responsibility for the three practices in Bishop's Stortford lies with the Stort Valley and Villages Locality Group which is also responsible for two in neighbouring areas. Public health is the responsibility of Herts County Council and the East Herts Draft Health and Wellbeing Strategy may be viewed on the East Herts District Council web site.

### 3.7.2 Objectives

The policies in this section seek to achieve the following objective:

- Provide reasonable access to health services for residents of all ages

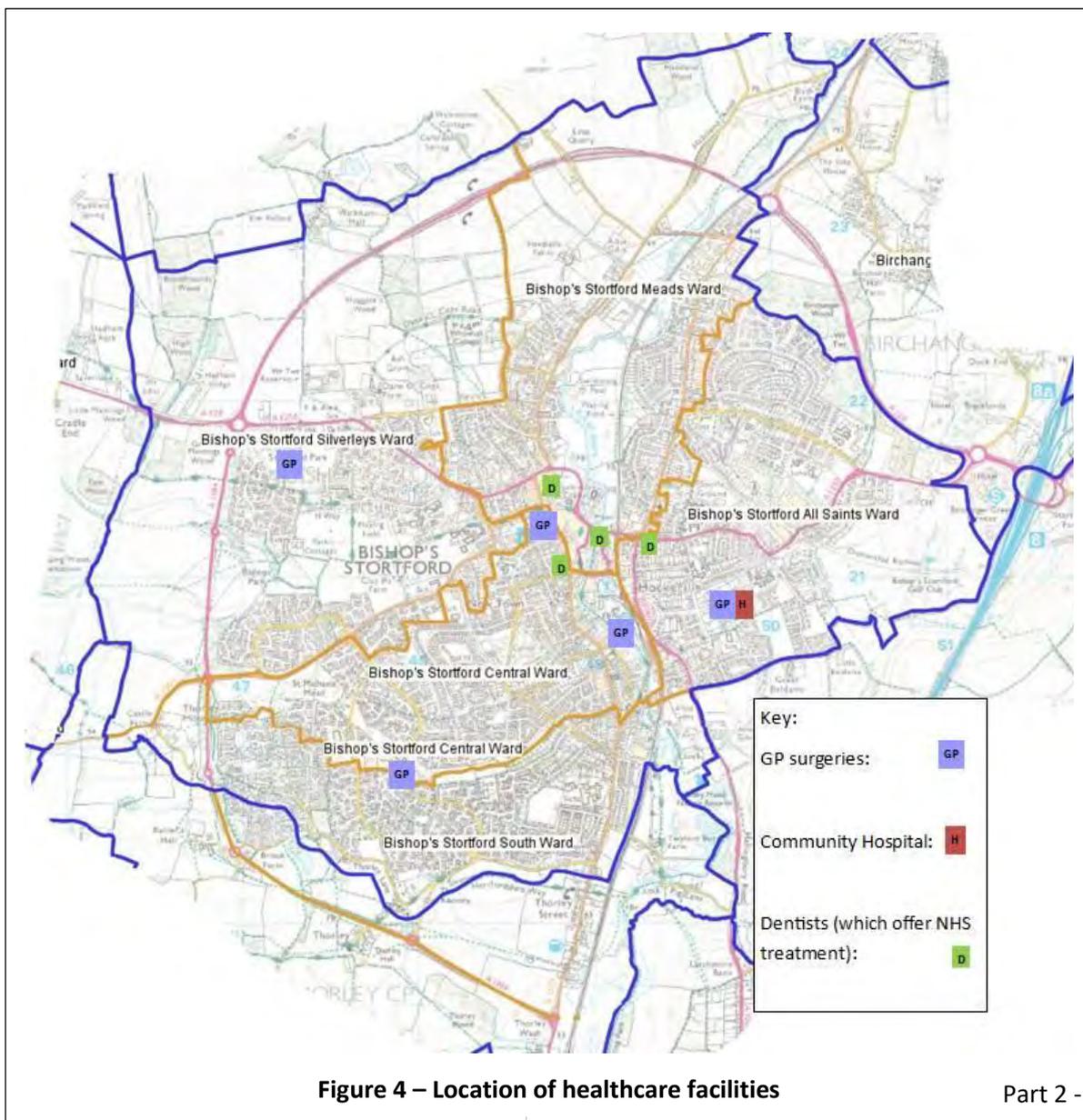


Figure 4 – Location of healthcare facilities

#### **3.7.3 Objective: Provide reasonable access to health services for residents of all ages**

3.7.3.1 The 2014 report from Herts Healthwatch contained an analysis of the GP/Patient ratios for the five GP practices in the Locality Group. For the three practices in Bishop's Stortford, the average ratio was 1:2019, well above the national average of 1:1800. The practices have reported their problems in recruiting new GPs and it is clear that progress needs to be made on this issue for them to be able to offer an improved service.

3.7.3.2 The South Street practice, in 2012, made a proposal to move its main surgery to the Silverleys sports complex site but this was not approved, mainly due to issues of sustainability. An alternative proposal was made by a developer to move the main practice to Tanner's Wharf and this was approved by EHDC but was not a favoured option for the practice.

3.7.3.3 The local practices are in joint discussions to identify possible strategies for the future which will improve the service to patients and will cope with the increased demand arising from new development all around the town, while allowing for the reality of constrained NHS budgeting. Feedback from residents confirms the view that some of the present GP premises are not fit for purpose and that purpose-built premises will be required in the future, including for any major new development.

##### **HP1 – Accessible GP practices**

a) Any new development of 10 residential units or more must, by means of financial contributions or otherwise, support the provision of facilities so that new residents have access to a GP practice within a reasonable distance, subject to agreement

with the healthcare provider and unless the existing services are already capable of providing this service to the new residents.

b) For developments of over 500 dwellings appropriate provision must be addressed as part of the development proposal. This may be through onsite provision or financial contribution to local offsite provision where onsite provision is not viable. Applicants must engage with the relevant health authorities at the earliest possible stage.

c) Contributions should take account of East Herts policies for community infrastructure contributions and the effect of contributions on the viability of development.

d) Development of a new central location for the services currently provided at South Street and Church Street practices will be supported subject to other applicable policies.

3.7.3.4 In addition to GP services, there is a need for high quality specialised provision for care of the elderly, the mentally ill, and the mentally and physically disabled. Most of the elderly residential services are provided by private care homes which where possible should be sited in residential areas and specifically built for purpose.

3.7.3.5 Residents have stated a need for an Urgent Care Centre at the Herts & Essex Hospital to alleviate some of the pressure on A&E at Princess Alexandra Hospital in Harlow and to provide an improved service to residents of Bishop's Stortford. NHS England is aiming to ensure that through working with health and social care colleagues they can provide integrated care and problem solving for individual patients, thereby keeping people out of acute hospitals and reducing the reliance on urgent care services.

**HP2 – Services for the elderly, disabled and for mental health**

Proposals for development which improve specialist care for the elderly, the physically and learning disabled and mental health services will be encouraged.

**3.8 SPORT, LEISURE & COMMUNITY**

**3.8.1 Introduction**

3.8.1.1 Access to a variety of high quality sport, community and leisure facilities, both indoor and outdoor, enhances the integration and sustainability of communities, and is a vital ingredient in the development of good physical and mental health of residents.

3.8.1.2 Unfortunately, the current level of provision of sport, leisure and community facilities within the town are seen by many involved in the organisation of such activities, to be less than adequate. Organisations and clubs, however, prosper within the town, due in no small part to the enthusiasm of members and supporters and the high standard of coaching which is available in many sports.

3.8.1.3 Any expansion of the town needs to ensure that all facilities, both existing and new, are developed to be both accessible and adequate to meet the needs of the towns increasing numbers of residents. The Neighbourhood Area contains various indoor and outdoor facilities of varying degrees of accessibility and quality.

3.8.1.4 The local topography and the nature and size of the town's future expansion suggest that if the community's needs are to be met then the surrounding Green Belt must be used to accommodate sports facilities, with suitable restrictions to ensure that the essential openness of the Green Belt is still

preserved.



3.8.1.5 Expansion of the town will involve the building of new local community centres and create a clear need for the town's arts facilities to be further developed by increasing the capacity of existing facilities (within the constraints of listed building consent) or building a new and larger capacity arts facility.

**3.8.2 Objectives**

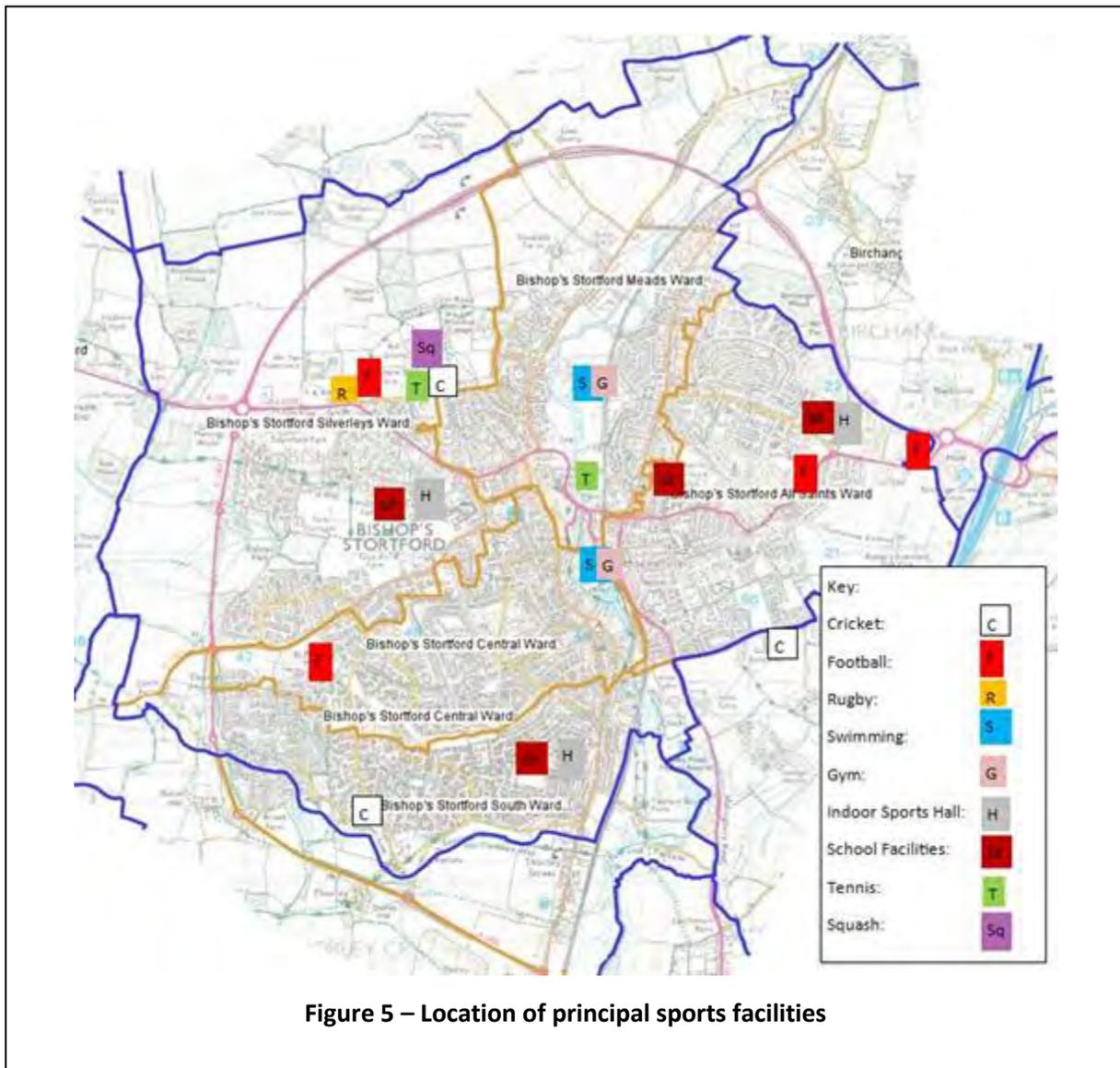
3.8.2.1 The policies in this section seek to achieve the following objectives:

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt for sensitively designed outdoor sport, leisure and community facilities

**3.8.3 Objective: Provide standards-compliant community facilities to meet the needs of the residents**

**SLCP1 – Provision of outdoor sporting and leisure facilities**

a) Contributions to new or enhanced outdoor and indoor sports, leisure and community facilities (including appropriate ancillary buildings) will be required as set out in policy of CFLR1/CFLR7 of EHDC District Plan.



**Figure 5 – Location of principal sports facilities**

b) The provision of facilities under this policy will have regards to any Bishop's Stortford or neighbourhood strategy that is in place at the time and the balance between manageability, which favours centralised facilities, and locality, which favours distributed facilities.

c) The mix of facilities (in terms of sports provided for) will be determined in consultation with the local planning authority, Bishop's Stortford Town Council, Thorley Parish Council (if appropriate), local sports clubs and other stakeholders.

d) Any proposals for new or enhanced community sports facilities must be inclusive (i.e. suitable for residents with disabilities) and

comply with Sport England design guidance, be accompanied by an adequately-sized car park having regard to the likely modes of transport to and from the venue as well as nearby parking availability. Sites which are accessible by public transport, walking and cycling will be more strongly supported.

### **SLCP2 – Development or expansion of multi-purpose facilities**

a) Proposals for developments in sustainable locations that enhance existing facilities, whether indoor or outdoor, by way of increasing their utilisation or capacity for multiple use and/or level of public access, will be strongly encouraged, where they do not

conflict with other neighbourhood, local or national planning policies.

b) Provision for shared use must be considered in any such development, unless this has a material adverse effect on the viability.

c) New community halls should comply with design guidance set by both Sport England and the Charity Commission (Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001 and Charity Commission: Village Halls and Community Centres, reference RS9, December 2004) or updated guidance that supersedes it unless a clear justification for departing from it is provided in terms of viability, the nature of the site, or use user needs is provided.

d) Any proposals that result in the loss of buildings or land currently allocated for sports use will not be supported unless:

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

**SLCP3 – Development and enhancement of specified facilities**

a) The development of a new or improved swimming pool complex and the expansion or enhancement of additional facilities that are needed to serve the town’s population, will be supported where they do not conflict with other neighbourhood, local or national planning policies.

b) Proposals by educational establishments to construct or expand sports and leisure facilities with the specific intention of making

such facilities available for use by all the community will be supported. The conversion or adaptation of facilities to increase their availability and alternative uses throughout the year will be encouraged.

**SLCP4 – Community leisure and arts facilities**

a) Proposals for a new and larger capacity arts facility at an accessible and preferably central location will be supported as should any proposals which enhance existing arts facilities within the constraints of listed building consent, subject to other applicable policies.

b) Any proposals that result in the loss of buildings or land currently allocated for community use will not be supported unless:

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

**3.8.4 Objective: Encourage appropriate use of Green Belt for sensitively designed outdoor sport & leisure facilities**



### **SLCP5 – Development of sports facilities in the Green Belt**

Except in areas designated as 'Local green Spaces' the development of outdoor sports facilities in the Green Belt will be permitted provided:

- The demand for such facilities is clearly established.
- The design, massing and materials are such as to create a harmonious relationship with the surrounding landscape and environment.

## 3.9 BUSINESS AND EMPLOYMENT

### 3.9.1 Introduction

3.9.1.1 Bishop's Stortford is a relatively small market town but is the largest town in East Hertfordshire, in close proximity to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is in distribution services, light industry, office based, leisure services and retail. Bishop's Stortford is in the heart of the London- Stansted-Cambridge corridor. Research published by the LSCC Growth Commission in 2016 showed that the economic growth rate of the corridor was 20% higher than nationally 1997 - 2014. Two recent studies by Wessex Economics and DTZ have concluded that Bishop's Stortford has the greatest potential of all the settlements in the District in terms of employment growth particularly in terms of B1 office space and land.

3.9.1.2 The Bishop's Stortford Town Plan (2010) identified the need to improve professional and white collar job

opportunities. 'Business Stortford' was established as an outcome of the Town Plan to attract companies from the UK, Europe and beyond to Bishop's Stortford in order to bring more of these types of jobs to the area. The initiative was set up by Bishop's Stortford Chamber of Commerce and includes a 'Welcome Programme' to fast-track a company's relocation or expansion to Bishop's Stortford.



3.9.1.3 Bishop's Stortford is due to change over the plan period therefore a degree of flexibility regarding use of land and buildings will be increasingly required. Reasonable proposals for change of use of existing facilities should be supported to ensure modernisation opportunities ensure an up to date and sustainable employment provision.

3.9.1.4 The location of industrial areas both new and existing needs to be carefully considered. Existing industrial areas were originally near the edge of town however with subsequent development and expansion of Bishop's Stortford these sites are now located more within the town and often bounded by residential areas.

3.9.1.5 Consideration should be given to development of new business areas on the edge of or outside the current boundaries of the town and conversion of the existing sites to residential development. Support for a change of use proposal would be based on a suitable alternate location of employment

facility being available prior to the change of use to match or exceed the existing location. Any proposed new industrial areas towards the East of the town may need to be developed in conjunction with input from both Uttlesford District Council and Essex County Council.

3.9.1.6 There is a clear demand for high quality office and retail premises around the town however several existing properties have often remained empty for months or years in some instances. Retention of these properties as business is preferred as the economy improves. Approval of change of use would require full justification.

3.9.1.7 Retail activity throughout the nation is changing fast with an increasing use of online purchasing and preference for larger, high variety shopping centres. In addition, the town has seen a shift in emphasis from traditional independent type shops to service based retail such as hairdressers and cafes.

3.9.1.8 New retail facilities will result in increased competition for existing retailers. Where this competition has a detrimental effect, a possible change of use proposal for such properties should be supported where appropriate.



3.9.1.9 Proposed development in the Neighbourhood Area should enhance business and employment diversity and aligned with the 'Bishop's Stortford' construction aesthetic provide both a contemporary place to work

along with a building that suits the surroundings. A healthy and thriving retail environment in the town centre is paramount to the town's success as a living community and any mechanism to support this cause is to be supported.

### **3.9.2 Objectives**

3.9.2.1 The policies in this section seek to achieve the following objectives:

- Create new employment opportunities for local residents while protecting amenities for residents
- Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development
- Support development in the town and commercial areas to ensure sustainable employment diversity

### **3.9.3 Objective Create new employment opportunities for local residents while protecting amenities for residents**

3.9.3.1 The need for a business incubation hub has been identified through consultation with the local business community. In Bishop's Stortford self-employment is in line with the district, county and national average (6%, source: 2011 Census) and for many, the need to have small, cheap business premises which offer the opportunity to network with other business professionals is crucial to the ongoing success of their business. It will be important that a variety of stakeholders contribute to the identification of a suitable location.

3.9.3.2 The purpose of creating new employment opportunities is to provide employment for local people and bring workers into the Neighbourhood Area. Access to supporting facilities from their place of

### Common Policies

work will enable people to link work and other activities minimising additional trips outside of the working day. This contributes to sustainability and an improvement in amenity by reducing the need to undertake additional car journeys.

#### **BP1 – Provision of a business incubation centre**

Proposals for the provision of a business incubation centre will be supported. This should be similar to a scaled down version of the Harlow Enterprise Hub providing a centrally located managed facility with 10-20 rooms including meeting rooms. It should seek to address the following considerations:

- On-site parking facilities, good public transport links, cycle storage and links to the pedestrian and cycle network.
- The facility should be appropriate for the needs of small 'start-up' type business activity including street level access.

3.9.3.3 The provision of thriving local retail facilities which are amply supported by the community where they are presently unavailable would be of benefit to the community.

#### **BP2 – Local retailing facilities**

Proposals for local retail facilities which provide services to large-scale residential development will be supported. These local centres must provide for an appropriate mix of A1 to A5 use classes. Residential accommodation above the shops should be provided if possible. Any proposed development would be aligned with RTC1 of the District Plan 2018 or its successor policy but must not be at a scale that detracts from the offer in Bishop's Stortford town centre.



3.9.3.4 There is a need to improve digital connectivity within Bishop's Stortford, both for businesses and residents. The investment in the business infrastructure can create opportunities that are of wider benefit to the community and therefore such opportunities to provide collective benefits should be taken where they arise.

#### **BP3 – Provision of business communication infrastructure**

a) Up to date business communication infrastructure for the town is paramount and developers must ensure the following in any new development:

- That the necessary infrastructure is provided to enable new houses and development to connect to the highest broadband speed available in the area.
- In edge of town areas consider supporting the installation of public Wi-Fi internet facility for the benefit of all new development.

b) Installation of mobile communication equipment is to be supported when installed in such a manner as not to be prominent.

c) The provision of electric car charging points will be encouraged in all new business developments and will be a requirement for all major business developments.

### 3.9.4 Objective: Support development in the town and commercial areas to ensure sustainable employment diversity

#### BP4 – Mixed developments

The following will be supported subject to other applicable policies:

- Proposals which seek to enhance the employment opportunities in the town by providing a diverse mix of retail and commercial facilities.
- Developments and refurbishments that modernise existing employment facilities without detracting from the local building style.
- The regeneration or redevelopment of existing industrial sites to commercial business facility.

#### BP5 – Edge of town development

The following will be supported where possible and subject to applicable policies:

- the development of new industrial and/or commercial business uses at the edge of the town.
- the re-location of current industrial areas within the town or near the town centre to the edge of town, with access from the bypass (A120 and A1184), to enable change of use of those areas to residential.

## 3.10 TOWN CENTRE

3.10.1.1 The town centre still has the character of a historic market town. Whilst it has suffered, like many others, from a movement towards online and out of town shopping, the occupancy rates remain high. The Neighbourhood Plan contains policies which seek to ensure that the centre remains

a vibrant and attractive focus for both retail and other activities.

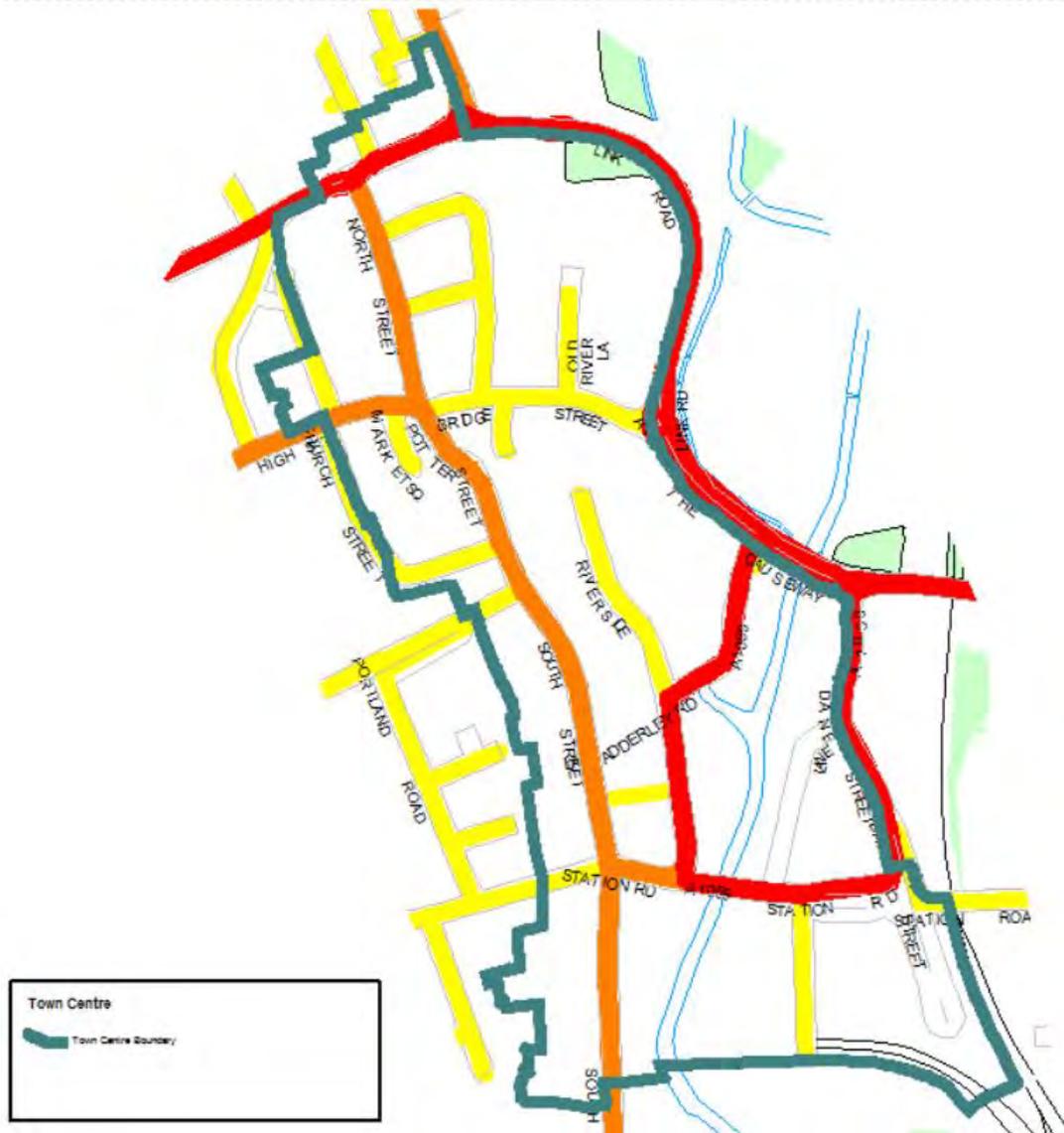
### 3.10.2 Objectives:

- Create a more attractive pedestrian environment reconnecting with the river.
- Promote a holistic parking strategy balancing the needs of residents, businesses and visitors with the impact on the environment.
- Produce a framework for retail between national chains and independent shops.
- Identify flexible and adaptable employment uses to support the town's economy.
- To provide a balanced mix of residential, cultural, leisure and business uses within the Town Centre.

### 3.10.3 Objective: Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development

3.10.3.1 Bishop's Stortford town centre is described in the East Herts District Plan 2018 as the "largest shopping centre in the District". However, most residents of the town want it to remain as a historic town centre, whilst expecting it to be improved in terms of quality, diversity and use of resources, such as the river.





**Figure 6 – Town Centre Boundary**

3.10.3.2 Whilst the town centre buildings are relatively well maintained and a somewhat limited range of shops and enterprises present, there are some vacant premises and evidence of churn that present challenges for the appearance of the town centre. Evidence from the online town centre survey of shops and businesses carried out in November 2013 suggests that increasing the range and scale of good quality retail shops, particularly, is the best way to encourage footfall and bring the revenue needed to maintain the fabric of the town centre.

3.10.3.3 It is also important that the retail offering for the town centre remains located where the main shop frontages are now and does not lose vitality and accessibility by being distributed over a wider area. Most of the recognised town centre is within the Bishop's Stortford conservation area and this should provide a useful reference point for maintaining the character and standard of buildings generally within the town centre. Issues of parking in the town centre are addressed in the Transport Policies section.

3.10.3.4 National policy aimed at reversing the decline of town centres over recent years

is likely to bring opportunities and challenges to the nature of our town centres. Any new development must be appropriate for the town as a whole and for the town centre in particular.

3.10.3.5 The town centre has attracted a number of large blocks of flats in recent years, still not fully occupied. So, whilst residential dwellings can be advantageous in bringing more people to the town centre, this type of imposing building is not liked by residents of the town and will not be favoured.

3.10.3.6 The primary shop front area of the town centre is bisected by a through route for vehicle traffic along South Street, Potter Street and Market Street. This leads to a barrier to pedestrian movement and undesirable levels of noise and air pollution as well as discouraging use of the street market.

3.10.3.7 The town centre with its many listed buildings, narrow pavements and hills is not easily accessible and has poor facilities for those of reduced mobility. There is a need to go beyond the statutory minimum, and East Herts Council policy, provision for such individuals when considering the merits of new developments.

**TC1 – Town Centre Planning**

Development proposals in Bishop's Stortford Town Centre, as defined in Figure 6 above, should have regard to the Bishop's Stortford Town Centre Planning Framework and demonstrate broad compliance with the design guidance.

**TC2 – Future development of the town**

Significant<sup>6</sup> commercial or retail development will be considered against the following criteria:-

- New retail uses close to, or adjoining, existing primary retail frontages as defined in Table 1 below will be supported as will changeable modular structures.
- Proposals within or adjacent to the Conservation Area will be expected to harmonise with the aesthetic character of existing buildings. Elsewhere in the Neighbourhood Area, more innovative styles can be adopted with emphasis on light and space.
- Proposals that seek to reduce the volume of traffic flow and instances of stationary traffic along South Street will be encouraged. Contribution towards transport improvements should be in line with Hertfordshire County Council's recommendation's and seek to promote sustainable modes, encouraged through effective travel planning.
- Developments that go beyond the minimum provision for those of reduced mobility, for example by including disabled toilets under the Disability Rights UK 'Radar' scheme, or by providing suitable premises for motorised scooter hire, will be favoured.

**TC3 – Prosperity and character of the existing town centre**

a) A flexible approach to change of use will be encouraged to secondary shopping frontages as defined in table 1 below, as per RTC4 of the District Plan 2018. Where it contributes to a range of services aimed at supporting a strong

<sup>6</sup> See Appendix 2 – Glossary for definition.

## Common Policies

base of quality retail shops concentrated, as far as possible, close to the primary retail frontages.

b) Community services such as the library, post office, tourist office, CAB, GP surgery etc. will be encouraged to remain in the town centre area.

c) Temporary concessions will be considered for 'pop-up shops' and similar short term or seasonal enterprises, providing they do not conflict with the character of the town centre and of the time of the application support the vitality of the high street, aimed at meeting a target of at least 90% occupancy.

d) The street market operating two days a week in North Street, Market Square, Potter Street and South Street should be supported wherever possible as a valuable contribution to the vitality of the town centre.

**Table 1 – Bishop's Stortford Retail Frontages**

Primary Frontages	Secondary Frontages
1-3, 3a-13, 13a, 17 Bridge Street (Odd)	12-22 Bridge Street (Even)
2, 2a-10 Bridge Street (Even)	12-18 Church Street (Even)
2 High Street (Even)	1-25 Church Street (Odd)
1-19 Jackson Square (All)	1-13 Devoils Lane
14-16 Market Square (Even)	1-15 Florence Walk (All)
1-9 Market Street (Odd)	1-4 Hadham Road (All)
2-4, 10-34 North Street (Even)	4-10 High Street (Even)
1-23 North Street (Odd)	1-7 High Street (Odd)
9-15 Palmers Lane (Odd)	2-12 Market Square (Even)
	1-3 Market Street

1-35 Potter Street (Odd)	(Odd)
2-34 Potter Street (Even)	5-9 Newtown Road (Odd)
1, 1b-37 South Street (Odd)	38-42 North Street (Even)
2a, 2b, 2c-12, 12a-16, 16b-32, 32a-34 South Street (Even)	25-31 North Street (Odd)
	2-5 Riverside Walk (All)
	2-10 South Street Centre (All)
	39-45, 45a-47, 47a-79, 79a South Street (Odd)
	36-92, 92a-96, 100-102, 102a South Street (Even)
	1-5 Station Road (Odd)
	2-16 Station Road (Even)
	1-12, 12a-14, 19 Sworders Yard
	6 The Causeway
	1-5 The Dells





Neighbourhood Plans for  
Silverleys and Meads Wards  
and for All Saints, Central,  
South and Part of Thorley  
Parish (1<sup>st</sup> Revision) –  
Appendices

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Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish © Bishop's Stortford Town Council 2016.

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## 1 Appendix 1 – Policy Context and Background

The following plans and documents support the policies

### Climate Change

- National Planning Policy Framework
- East Herts District Plan (2018)
- East Herts Draft Climate Change Mitigation SPD 2019
- Heat Networks: Building a Market Framework 2020

### Housing and Design

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts draft District Plan (2015)
- East Herts District Plan (2018)
- Hertfordshire County Council Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (Adopted) November 2012
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document (Local Plan Second Review 2007)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014
- Strategic Land Availability Assessment 2015 (SLAA)
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today (2012)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East and South East Operating Area Housing Market Report (August 2014)
- EHDC Housing Needs Survey 2014/15
- Neighbourhood Plan for Silverleys and Meads Wards 2014–2031

- DCLG Technical Housing Standards – nationally described space and water efficiency standard (March 2015)
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

### **Green Infrastructure**

- National Planning Policy Framework
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014/15
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Local Plan and the Open Space, Sports and Recreation Supplementary Policy Document, 2009 ([www.eastherts.gov.uk/openspacespd](http://www.eastherts.gov.uk/openspacespd))
- East Hertfordshire Council's draft 'Parks and Open Spaces Strategy' 2013-2018
- East Herts Green Infrastructure Plan 2011
- Everyone Matters – A Sustainable Community Strategy for East Hertfordshire 2009-2024
- Hertfordshire Biodiversity Action Plan 2006
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012 – see green spaces elements
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- A Vision for the Future – Bishop's Stortford Waterspace & Landscape Strategy 2009
- British Plant Communities Volume 3: Grasslands and Montane Communities
- British Plant Communities Volume 1: Woodlands and Scrub
- British Standards Publication BS 42020: 2013. Biodiversity – code of practice for planning and development
- Bishop's Stortford Heritage and Character Assessment, February 2016, AECOM
- Thames River Basin Management Plan (TRBMP), Oct 2015
- East Herts Strategic Flood Risk Assessment (SFRA) 2008
- Defra: Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services, Aug 2011
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- HM Government: A Green Future: Our 25 Year Plan to Improve the Environment 2018

### **Transport**

- National Planning Policy Framework

- East Herts Local Plan Second Review 2007
- East Herts District Plan (2018)
- Supplementary Planning Document, Vehicle Parking Provision at New Development, June 2008
- Hertfordshire Local Transport Plan 3
- Hertfordshire Local Transport Plan 4
- Hertfordshire County Council Bus Strategy 2011–2031, June 2011
- Hertfordshire County Council Rail Strategy, April 2011
- 'Roads in Hertfordshire', Highway Design Guide 3rd Edition
- Urban Transport Plan - Stage 1 Report, Steer Davies Gleave 2010
- East Herts Air Quality Planning Guidance Document (2016)
- Hertfordshire Air Quality Management Plan (Policy 13.9)
- Travel Plan Guidance for Business and Residential Development, Hertfordshire County Council (Emerging document, Consultation January 2014)
- Neighbourhood Plan Questionnaire 2014
- Hertfordshire Travel Survey 2012 Report
- Hertfordshire County Council Local Transport Plan Live [www.hertsdirect.org/ltp](http://www.hertsdirect.org/ltp)
- Hertfordshire County Council Corporate Plan 2013-2017
- Sustrans Design Manual 'Handbook for Cycle-friendly Design' April 2014
- London Cycle Design Standards (March 2015)
- HCC Active Travel Strategy April 2013
- Manual for streets 2007
- Department for Transport Cycling and Walking Investment Strategy (March 2016)
- Herts Traffic and Transport Data Report 2014
- Department for Education Home to School Travel and Transport Guidance, July 2014

## Education

- National Planning Policy Framework
- BS Town Council NP for Silverleys and Meads Wards 2014–2013
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan January 2014
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan Questionnaire 2015

### Health

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan (Preferred Options Consultation) January 2014
- East Herts District Plan (2018)
- East Herts Draft Health and Well-being Strategy
- East Herts Health Profile 2015
- <http://www.hertsdirect.org/your-council/hcc/partnerwork/hwb/>
- East and North Herts Trust Priorities: <http://www.enherts-tr.nhs.uk/>
- Princess Alexandra Hospital NHS Trust Priorities: <http://www.pah.nhs.uk/>
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014

### Sport, Leisure and Community

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads 2014
- East Hertfordshire District Council Bishop's Stortford North S106 Sports Investment Strategy December 2015
- East Herts District Council Sport Investment Strategy Report findings
- 2009 Supplementary Planning Document 'Open Space, Sport and Recreation'
- East Herts Playing Pitch and Outdoor Sports Audit 2010
- East Herts Assessment of Sports Facilities 2011
- Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001)
- Charity Commission: Village Halls and Community Centres, reference RS9, December 2004

### Business and Employment

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts Draft District Plan 2014
- East Herts District Plan (2018)
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)
- DTZ Economic Development and Employment Growth report for East Herts Council 2012.

- Nathaniel, Litchfield & Partners Retail and town centre Report, September 2013
- Peter Brett Associates, town centres and Retail report October 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- The A10/M11 Growth Area Economy, Hertford LEP, June 2015
- The London-Stansted-Cambridge Corridor: Economic Characteristics and Performance report - January 2016
- Business Stortford [www.businessstortford.com](http://www.businessstortford.com)

### **Town Centre**

- East Herts District Plan (2018)
- Bishop's Stortford Town Centre Planning Framework

### **The Goods Yard**

- National Planning Policy Framework
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014.
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)
- TFL Transport Interchange Guide
- Herts County Urban Travel Plan for Bishop's Stortford (2012?)
- Herts County Travel Survey 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012.
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- EHDC Goods Yard Development Brief  
[http://www.eastherts.gov.uk/media/pdf/t/i/Agreed\\_Goods\\_Yard\\_Brief\\_-\\_July\\_2011.pdf](http://www.eastherts.gov.uk/media/pdf/t/i/Agreed_Goods_Yard_Brief_-_July_2011.pdf)
- Communities and Local Government Planning Policy Statement 25 (2006) 'Development and Flood Risk'
- East Herts Strategic Flood Risk Assessment
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

### Bishop's Stortford South

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)
- Bishop's Stortford Town Council Neighbourhood Plan Questionnaire, December 2014
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: Third Edition – January 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts Adopted Local Plan (April 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15
- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Plan (2018)
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith, Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012

- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies
- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics - Land South of Bishop's Stortford
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October – 4 December 2015)
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Gov.uk Public Rights of Way – landowner responsibilities

### **Bishops Stortford High School Site**

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley Questionnaire, December 2014
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, Draft December 2015
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: 3rd Edition – Jan 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)

- East Herts Adopted Local Plan (April 2007)
- East Herts District Plan (2018)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15
- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith an Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012
- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies
- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002–2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013–2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October–4 December 2015)
- West Essex and East Herts Strategic Housing Market Assessment (Sept 2015)

## 2 Appendix 2 – Glossary

Term	Definition
Affordable Housing	Housing made available, based on the evidence of need, to people who are unable to afford housing at market prices. Affordable housing includes social, rented and shared ownership housing, provided to eligible households whose needs are not met by the market, and that specifically excludes low cost market housing.
Air Quality Management Area	An area where air pollution is likely to exceed National Air Quality Objectives under the Environment Act (1995), particularly due to road traffic emissions. The area is subject to a programme of assessing air quality against national targets and the development of remedial measures to improve air quality.
Ancient Woodland	Woodland known to have existed continually in a location since before 1600.
Brownfield Site	Land that has been previously developed on.
BSN	Bishop's Stortford North Consortium. A consortium of developers which has received planning permission to develop ASRs 1–4, and consisting of Bovis Homes, Taylor Wimpey, The Fairfield Partnership, Persimmon, and Keir.
Business Incubation Centre	A facility which provides micro business the opportunity to work in an office/ workplace environment within the same building as others. All occupants have access to shared facilities such as reception, Wi-Fi, telephony and meeting rooms along with the ability to meet informally and discuss business matters not necessarily in the same industry.
Conservation Area	An area designated under Section 69 of the Town and Country Planning Act 1990 as being of 'special architectural or historical interest', the character and appearance of which it is desirable to preserve and enhance.
Construction Management Plan	A plan detailing how construction will be managed in order to ensure the effects of construction on residents and businesses is kept to a minimum.
Developer Contributions (or S106 Contributions)	Contributions required under a Section 106 agreement from development to be set aside for future works and services directly related to the development.
Development Plan	Statutory Plans, including Local or District Plans and Neighbourhood Development Plans which are used to determine planning applications.
Exception Test	See Sequential and Exception Tests.
Floodplain	An area of land liable to flood from a watercourse, defined by the Environment Agency.
Garden City	The Town and Country Planning Association characterises a Garden City or Suburb as having generous green spaces linked to the wider natural environment, including a surrounding belt of countryside, with a well-managed network of public parks, private gardens, tree-lined streets

	and open spaces. It should have beautifully and imaginatively designed homes with gardens, combining the very best of town and country living to create healthy homes in vibrant communities. Furthermore, it should enjoy strong local cultural, recreational and shopping facilities in walkable neighbourhoods and have integrated and accessible transport systems. Communities should be fostered by long term stewardship of assets, such as allotments, and be sustainable through having a variety of employment opportunities within easy commuting distance of homes. A variety of mixed-tenure homes and housing types that are affordable for ordinary people should also be available.
Green infrastructure	A network of green spaces and other features, such as parks, open spaces, woodlands, playing fields, allotments and gardens providing a range of quality of life benefits for the local community.
Greenfield Site	Land where there has been no previous development.
Housing Associations	Independent, not-for-profit organisations that work with councils to offer flats and houses to local people on the Housing Register.
Infrastructure	Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.
Lifetime Homes	The 'Lifetime Homes' standards seek to make homes more flexible, convenient, safe, adaptable and accessible than most new homes, as defined in the EHDC Affordable Housing & Lifetime Homes Supplementary Planning Document.
Listed Building	Any building or structure which is included in the list of 'buildings of special architectural or historic interest' as defined in the Planning (Listed Building and Conservation Areas) Act 1990.
Local Referendum	A direct vote in which electors in the Neighbourhood Area (or larger area if recommended by the Independent Examiner) will be asked to either accept or reject the Neighbourhood Development Plan.
Major Development	A development defined as major development in The Town and Country Planning (Development Management Procedure) (England) Order 2010 i.e. Development involving any one or more of the following— (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where — (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more;

Mitigation	Measures taken to reduce adverse effects of a development.
Modal Shift	The trend that sees more journeys made by a sustainable form of transport, usually away from cars and towards walking, cycling or public transport.
National Planning Policy Framework	Sets out national policy and how this is expected to be applied.
Neighbourhood Area	Area to which a proposed Neighbourhood Development Plan or Neighbourhood Development Order will relate.
Neighbourhood Plan	A local plan prepared by a parish council and community representatives for a particular neighbourhood area, which includes land use topics. If accepted by an independent examiner and passed by a simple majority at referendum, the Plan carries equal weight to other adopted local plans.
Objective	An aim or a goal to assist in achieving the overall vision for the area.
Open Space	All open space of public value including land, rivers, canals and lakes which offer important opportunities for recreation and can act as a visual amenity.
S106 Contributions	See Developer Contributions.
Secured by Design	The official flagship initiative of the Association of Chief Police Officers, supporting the principles of 'designing out crime'.
Sequential and Exception Test	The methodology recommended by the National Planning Policy Framework to ensure that new developments are sited in the most appropriate locations.
Shared Equity Housing	Shared equity is where more than one party has an interest in the value of the home, with the aim of reducing the cost of occupancy, e.g. an equity loan arrangement or a shared ownership lease.
Shared Space	Shared space is a design approach that seeks to change the way streets operate by reducing the dominance and speed of motor vehicles. No particular class of usage within the space has priority over any other when moving around and responsibility for safe and free movement is shared by all.
Sheltered Housing	Housing which is purpose built or converted exclusively for sale to elderly people with a package of estate management services and which consists of grouped, self-contained accommodation usually with communal facilities and normally with a warden.
Significant Development	A development of a scale sufficient to trigger the requirement for a Transport Assessment in accordance with Roads in Hertfordshire: Highway Design Guide 3 <sup>rd</sup> Edition i.e.: Residential development in excess of 80 units Non-food retail development of more than 1,500m <sup>2</sup> Gross Floor Area (GFA) Class B1 Business of more than 2500m <sup>2</sup> GFA Class B2 General industrial of more than 4,000m <sup>2</sup> GFA Warehousing (use class B8) of more than 5,000m <sup>2</sup> GFA

Social Housing	Subsidised housing for rent allocated on the basis of need.
Supplementary Planning Document	Documents which add further detail to the policies in the Local or District Plan. They can be used to provide further guidance for a development of specific sites or a particular issue.
Supported Housing	As for 'Sheltered Housing', but designed for those with physical or learning disabilities rather than just the elderly.
Sustainable Communities	Places where people want to live and work, now and in the future.
Sustainable Development	Development that allows change without damaging the environment or natural resources and that meets the needs of the present, without compromising the ability of future generations to meet their own needs.
Town Plan Survey	A survey of Bishop's Stortford residents carried out in October 2008 to which 4,000 replies were received. The survey led to the creation of a Town Plan setting out numerous actions many of which have been implemented. The plan was updated in 2011 and several of the longer term actions continue.
Vision	A series of statements describing how an area would like to be at some time in the future.

### 3 Appendix 3 – AECOM Character Assessment Summary

This Appendix contains a summary of the AECOM Heritage and Character Assessment for the Neighbourhood Area divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location.

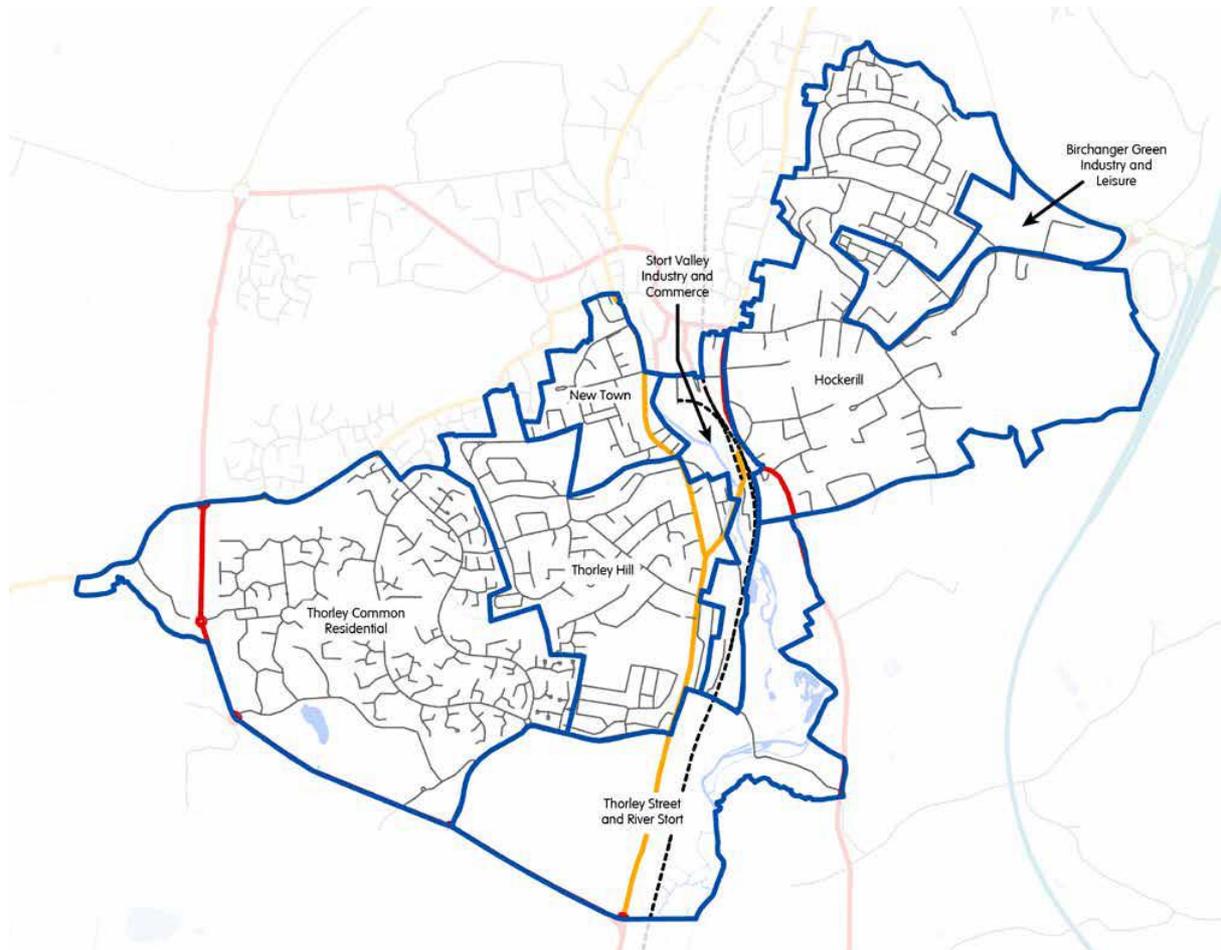


Fig 11 – Map showing the seven Townscape Character Sub-areas

- TCA01 – Hockerill
- TCA02 – Birchanger Green
- TCA03 – Stort Valley
- TCA04 – Newtown
- TCA05 – Thorley Common
- TCA06 – Thorley Hill
- TCA07 – Thorley Street and River Stort

<b>Sub-area ID</b>	<b>Name</b>	<b>NP Policy Reference</b>	<b>Key Character Management Principles</b>
TCA 01	Hockerill	HDP2/BSEM1	Future development adjacent to green belt should provide a buffer of green space on the edge
		HDP2/BSEM1	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Views along Parsonage Lane and Warwick Lane towards the town centre and higher ground to the west of the town should be retained
		HDP2/BSEM1	New residential development should respect the existing proportions of the street, with building frontages set back behind generous front gardens, and scale of adjacent buildings and the shape and continuity of the roof lines
		HDP2/BSEM1	Development in the north should seek to strengthen the existing structure of the landscape and retain the wooded backdrop to longer distance views
		HDP2	The setting of historic buildings which are locally distinctive, such as the Nags Head Public House, should be protected and enhanced
		GIP1	Birchanger Wood should be protected and enhanced through active management
		HDP1/GI	A strategy for street tree management and replanting to increase the age structure and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
TCA 02	Birchanger Green	HDP2/BP8	Future development should consider opportunities to introduce a mix of uses
		HDP2	The scale of new buildings should be minimised and should be no taller than the surrounding residential development around the boundaries of the area
		HDP2	Mature trees, woodland and hedgerows, which divide the area and enclose development, should be reinforced and enhanced

		TP4	Routes across the area for pedestrians and cyclists should be improved to enhance permeability and legibility
		BP10	A strategy should be developed to manage traffic and on-street parking within the area
		BP8	A strategy to reduce the visual impact of signage within industrial estates should be considered
TCA 03	Stort Valley	HDP2/GY1	Proposals for new development should be of high architectural quality, should demonstrate an understanding of the history and context of the area and make reference to vernacular style and materials and the scale of adjacent buildings
		GY1	Development within the northern part of the area should sustain and reinforce the historic and cultural links between the town and river
		HDP2/GY1	Development should be set back from the River Stort and the intervening space should be publicly accessible and include generous areas of public green space
		GY1	Development should not exceed four storeys in height to maintain views across the town from the east and west and with landmarks
		GY1	Opportunities to create a more active edge to Station Road and Anchor Road should be explored to improve the quality and vibrancy of the public realm
		GY1	A common pallet of materials, street furniture and signage should be developed to enhance the quality and legibility of the public realm
		GY2	Links between the town centre and railway station should be enhanced through a comprehensive public realm scheme
		GY6	Connectivity to the River Stort green corridor for pedestrians and cyclists should be enhanced
TCA 04	New Town	HDP2/BP6	Future development should maintain views from green space and along streets in the west of the St Michael's Church and across roof tops within the town centre. Development proposals in excess of four storeys are not likely to be acceptable
		HDP2/BP6	Development along South Street and Potters Street north of Station Road should incorporate active frontage and

			improvements to the quality and appearance of shop fronts should be supported
		HDP2/BP6	Future development within the Conservation Area should retain and enhance original shop fronts.
		HDP2	The high quality public realm in the northern parts should be extended to enhance legible connections and permeability of the area
		HDP2	In streets where front gardens are common, proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable
		HDP2	Development proposals south of Station Road between South Street and the River Stort should create physical connections with the river and enhance its setting and accessibility to the public
		HDP2	The junction of South Street and Station Road should be enhanced through development and public realm improvements to reinforce this key node between the station and the town centre
TCA 05	Thorley Common	HDP2	The strong landscape framework which encloses and divides the area should be protected and sustained
		HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Development should protect and enhance existing blocks and belts of woodland and incorporate new planting to further enhance the quality of the area
		HDP2	Development should sustain views across green space to local landmarks and wooded hills beyond to maintain legibility
		HDP2	A strategy should be developed to improve legibility through the residential estates in this area and provide connections between adjacent residential areas for pedestrians and cyclists
		GIP1	Active use of the green spaces on the edges of the area should be encouraged to deter fly tipping

TCA 06	Thorley Hill	HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2/BSHS1	Infill development should reflect the scale, density and roof line of adjacent buildings, and arrangement and offsets of buildings from the street and should include front gardens
		GIP1	A strategy for street tree management and replanting should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		GIP2	Public green space within the residential estates should be protected and enhanced
TCA 07	Thorley Street and River Stort	HDP2/BSS1	Future development in the south of the area should provide a clear transition between town and countryside and incorporate new green spaces and wherever possible, integrate existing vegetation
		BSS1	A buffer of green space should be provided along Thorley Street to protect the setting of the area and the many listed buildings along London Road
		GIP2	The semi-natural character of the River Stort corridor and Rushy Mead Nature Reserve should be protected and enhanced through active management
		BSS1	The materials proposed for any new development should be responsive to the vernacular style and materials of the area
		GIP?	A strategy for street tree management and replanting along London Road should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		TP4/BSS14	Opportunities to increase and improve connections between Thorley Street, the River Stort and Rushy Mead Nature Reserve should be maximised
		BSS1	Proposals which retain or enhance well-vegetated front gardens are demonstrate a strong relationship with the

			street are more likely to be acceptable than proposals to introduce substantial areas of paving for use as driveways
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## 4 Appendix 4 – Potential Encroachment of Plan Allocations on Consultations Zones

HSE Reference Number	TRANSCO Index Number	Pipeline Operator	Pipeline / Location Name	Location Map Reference (Start)	Location Map Reference (Finish)	Inner Zone (Metres)	Middle Zone (Metres)	Outer Zone (Metres)
7547	1804	National Grid Gas PLC	Thorley / Bishops Stortford (1TNO)	TL 480198	TL 491205	15	15	15



# Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley

(1<sup>st</sup> Revision)

2021–2033

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2. Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley – Part 2 Site Independent Policies



# Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley

– Part 1 Introduction and Site Specific  
Policies (1<sup>st</sup> Revision)

2021–2033

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Neighbourhood Plans All Saints, Central, South and part of Thorley Parish – Part 1 Introduction and Site Specific Policies (1st Revision) © Bishop's Stortford Town Council 2021

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## 1 Introduction

### 1.1 SUMMARY OF CHANGES IN THIS FIRST REVISION

---

1.1.1.1 This plan is the 1st revision 2020-2032 of the Neighbourhood Plan for All Saints, Central, South and part of Thorley 2016-2032.

1.1.1.2 It has been prepared as the same time as the 1st revision 2020-2032 of the Neighbourhood Plan for Silverleys and Meads Wards 2014-2031. Together, the two plans cover the whole of the town of Bishop's Stortford and part of the parish of Thorley.

1.1.1.3 The main changes in the plan can be summarised as follows:

- A new section on Climate Change has been included, aimed at reducing the contribution that the town makes to the causes of climate change and building resilience to its unavoidable impacts.
- The section on Green Infrastructure has been strengthened with new policies aimed at increasing provision of green infrastructure and biodiversity on new developments and with more areas of existing open space designated as Local Green Spaces. . Any Local Green Spaces which are designated as such in the East Herts District Plan 2018 have been removed.
- The section on Transport has been strengthened with respect to assessing the impact of traffic from new development, promotion of sustainable means of movement and financing of transport improvements.
- A new section on the Town Centre has been included requiring development to follow the Town Centre Planning Framework.

- Modifications have been made to the site specific policies relating to the Goods Yard, Bishop's Stortford South, The Bishop's Stortford High School site and the site East of Manor Links to reflect the fact that these sites have now been formally designated for development in the District Plan, whereas at the time the original Neighbourhood Plan was published the District Plan was in draft form only.
- Relatively minor modifications have been made to policies in other areas (but without changing materially the overall objectives) to bring them up to date and to align them with (so that they are identical to) the already very similar policies in the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2021-2033 (1st Revision).

### 1.2 WHAT IS A NEIGHBOURHOOD PLAN?

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1.2.1.1 A Neighbourhood Plan is a part of the overall planning system, i.e. the system used to regulate and control building and development. The right to create one was introduced by the Localism Act 2011. A Neighbourhood Plan is created at a local level, in our case by Bishop's Stortford Town Council. Once a Neighbourhood Plan is formally adopted (made<sup>1</sup>) it sits alongside other planning policy documents and forms part of the statutory Development Plan for use by East Herts District Council as Local Planning Authority in determining planning applications. The Development Plan currently consists of the 2018 District Plan and the Hertfordshire Minerals Local Plan 2007 which

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<sup>1</sup> Technically the process of bringing a Neighbourhood Plan into force is called making the plan and the plan is then said to be 'made'.

All Saints, Central, South & part of Thorley

is currently under review by Hertfordshire County Council. The Neighbourhood Plan has been developed with regard to the National Planning Policy Framework and the East Herts 2018 District Plan.

1.2.1.2 In particular this plan includes policies in relation to areas of land South of Bishop's Stortford, which are allocated for development in the District Plan. The Neighbourhood Plan does not specifically advocate development on these sites, however it does include policies which will apply (and therefore influence the development). This Neighbourhood Plan also contains policies in respect of the major development site at the Goods Yard.

1.2.1.3 The Neighbourhood Plan can only deal directly with any land use matters which would be the subject of a planning application. These could include, for example, design standards, community facilities, transport and access, the protection of important buildings and historic assets such as archaeological remains, green spaces and many more areas. The Neighbourhood Plan can comment on matters which are not strictly planning matters, but any influence over these matters will be indirect only.

1.2.1.4 There are some legal limitations to Neighbourhood Planning. A Neighbourhood Plan must be 'in general conformity' with the strategic policies of the adopted District Plan. It cannot block development that is part of the District Plan. It must not conflict with the NPPF or EU legislation. It cannot deal with major infrastructure or national projects for which central government has a separate system. Finally, because it is part of the planning system, it can only directly influence matters which would be dealt with as part of a planning application and cannot force any

particular development to take place.



### 1.3 WHY ARE WE PREPARING THIS PLAN?

---

1.3.1.1 A Neighbourhood Plan allows the local community to have a direct say about the development within the Neighbourhood Area. This Plan covers three of the five electoral wards in Bishop's Stortford and part of Thorley, which includes an area of Green Belt earmarked for development by East Herts Council in the District Plan. The Neighbourhood Plan for Silverleys and Meads Wards covers the two wards in the northern part of the town.

### 1.4 VERSION NOTES

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1.4.1.1 This current version of the 1st Revision plan includes amendments to the Plan adopted in October 2017 following several stages of consultation and on the basis of the recommended modifications made by the Independent Examiner in his Examination Report.

### 1.5 THE PLAN IN CONTEXT

---

#### 1.5.1 Bishop's Stortford as a whole

1.5.1.1 Bishop's Stortford is a prosperous market town with a distinctive character,

situated on the River Stort. With approximately 38,000 residents in 2011 (based on the census that year), it is the largest town in East Hertfordshire and the population has grown quickly over the last thirty years owing to its strategic location: close to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is a flourmill, distribution services, light industry, office-based and leisure services and retail.

1.5.1.2 Bishop's Stortford is widely viewed as a desirable location for young families and this has created a problem balancing demand for housing and services with the need to protect the heritage of a medieval town, which is a large part of what makes it desirable.

1.5.1.3 Thorley parish, a part of which is included in the Neighbourhood Area, is a Grade 3 village with 461 residences located to the South of Bishop's Stortford.

### 1.5.2 The Neighbourhood Area

1.5.2.1 This Neighbourhood Plan includes the wards of All Saints, Central, South and part of Thorley Parish. The Neighbourhood Area comprises a mix of residential, green spaces and part of the town centre, some of which is in a conservation area but with other parts in vital need of regeneration. The River Stort runs through the town from north to south and supports a wide variety of wildlife. Residents of the area have excellent access to a number of rural areas around the town and to the riverside, and there are well-maintained rights of way to facilitate this, including the Hertfordshire Way which runs south through Thorley Parish to the River Stort. There are also several important green

spaces within the area, including Thorley Wedge and Northern Country Park, and Southern Country Park.

1.5.2.2 Like the rest of Bishop's Stortford, the Neighbourhood Area has an ageing population and as the average life expectancy grows there will be increased needs for care of the elderly. There is also a clear need for affordable housing for young families and individuals, including low cost market housing for private purchase, and more shared ownership properties. Retail is focussed on the town centre and, whilst there is some turnover, the occupancy rate of town centre retail space remains favourable relative to comparable locations.

1.5.2.3 The District Plan envisages four substantial developments within the Neighbourhood Plan area all of which are underway or at an advanced stage of planning:

- Development of land between Whittington Way and the bypass, predominantly within Thorley Parish which will include 750 homes, a relocated secondary school, new primary school, and an employment area; known generally as Bishop's Stortford South.
- A mixed commercial and residential development (around 600 homes) on brown field land near the railway station known as the Goods Yard site.
- Redevelopment of the Bishop's Stortford High School site for 150 homes.
- Development of an area of land on the edge of Bishop's Stortford golf course for 50 homes, known as East of Manor Links'. As this planning application has been decided there are no policies for this development.

### 1.6 HOW WAS THE INITIAL PLAN DEVELOPED?

#### 1.6.1 The Neighbourhood Plan Team

1.6.1.1 The development of the Neighbourhood Plan was led by a Neighbourhood Plan Team (NPT), under the general guidance of Bishop's Stortford Town Council. The NPT has comprised representatives of local residents' associations, the Bishop's Stortford Civic Federation, the Bishop's Stortford Chamber of Commerce, three Town Councillors (two of whom are also East Herts Councillors and one County Councillor), a Thorley Parish Councillor, a representative of Bishop's Stortford Schools Consortium, and two

developer/landowners. Volunteers were sought through newspaper advertisements and three un-affiliated volunteers joined the NPT. The NPT has been supported by planning officers from East Herts Council and officers from Bishop's Stortford Town Council.

1.6.1.2 All team members were briefed to consult with other residents and interested parties during all phases of plan preparation to supplement the formal consultation stages which are described in detail in the accompanying Consultation Statement. In addition a series of consultation events were held throughout the period during which the plan was being developed.

#### 1.6.2 The Town Plan and 2020 Vision

1.6.2.1 Although becoming dated, the NPT

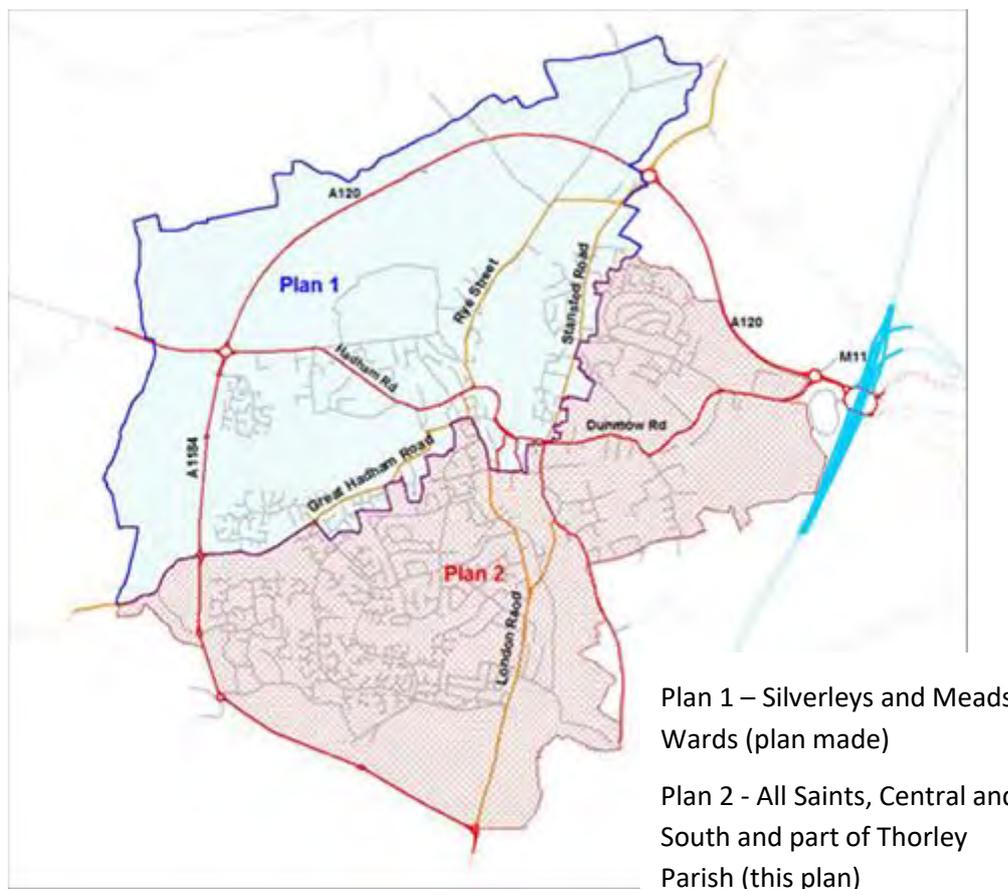


Figure 1 – Neighbourhood Areas

also had at its disposal a survey of residents of the town (The 'Town Plan Survey') that had been conducted in October 2008. Around 4,000 completed questionnaires were received and this led to the creation of a Town Plan setting out numerous actions, many of which have been implemented. The plan was updated in 2011 and several of the longer term actions continue.

1.6.2.2 Around the same time as the Town Plan Survey (and based on the same data), a vision for Bishop's Stortford, the '2020 Vision', was created by a group led by East Herts Council and which included representatives from many organisations connected with the town. This Vision document, although also dated, has provided some further high level input to the Neighbourhood Plan.

### 1.6.3 Neighbourhood Plan for Silverleys and Meads Wards

1.6.3.1 The Neighbourhood Plan for Silverleys and Meads Wards formed a further important input to the current plan. The areas are adjacent and, whilst there are differences, there are also commonalities. As a consequence many of the objectives and policy themes, and many of the policies in the Silverleys and Meads Ward plan, reappear in this plan. Some policies have wording which is identical (or very similar) to that in the Silverleys and Meads plan, while others have been modified to reflect local differences or evolution in thinking. Policy numbering has been carried over. Policies in this plan will always have the same number as the corresponding policy in the Silverleys and Meads Ward plan where they are identical, similar or cover the same topic area. Policies in this plan which are wholly distinct from those in the Silverleys and Meads Ward plan have policy numbers which do not appear in the latter. In some cases this results in deliberate gaps in policy numbering.

### 1.6.4 The Neighbourhood Plan Questionnaire

1.6.4.1 A survey of all residents and businesses in Bishop's Stortford and Thorley Parish was carried out in late 2014. Around 1,700 completed questionnaires were received and the results were analysed and used to identify the main issues and objectives. The various options were considered and groups formed around the topic areas.

1.6.4.2 The engagement of the wider public began in October 2014. During this stage a Questionnaire was created online and printed copies were delivered to all households and businesses in Bishop's Stortford. Posters were created and displayed advertising both the questionnaire and open days to be held regarding the questionnaire. On 23<sup>rd</sup> October and 8<sup>th</sup> November consultation days were held in Jackson Square to promote the questionnaire. The public was engaged in various forms, including Facebook and Twitter, an e-newsletter, the production of postcards and the advertisement of consultation days online. In November leafleting of commuters at Bishop's Stortford Railway Station also took place. In total the questionnaire received 1,744 responses.

### 1.6.5 Focus Groups

1.6.5.1 In November 2014 to February 2015 Focus Groups were held regarding Green Infrastructure, Housing & Design, the Goods Yard, Sports, Leisure, Education, Health, Land South of Bishop's Stortford and East of Manor Links, Transport and Business and Employment. Each lasted approximately two hours. These focus groups helped in the preparation of a first draft of the plan.

### 1.6.6 Further Public Engagement

1.6.6.1 During the following months, there was a further campaign to promote the plan and engage specific sections of the public.

1.6.6.2 A consultation Day was held at Rhodes Arts Complex with regular presentations throughout the day on 27<sup>th</sup> June 2015. This was followed up with a repeat of the consultation day on 17<sup>th</sup> and 19<sup>th</sup> September 2015 at Jackson Square.

### 1.6.7 Focus Groups Phase 2

1.6.7.1 New Focus Groups were held on the autumn of 2015 regarding the pre-consultation draft of the Neighbourhood Plan. Focus Groups for Business & Employment, Education, The Goods Yard, East of Manor Links, Land South of Bishop's Stortford and Transport were held.

1.6.7.2 Additionally, a Focus Group for Housing & Design was held to initiate the Heritage Character Assessment, hosted by AECOM Infrastructure & Environment UK Ltd (AECOM).

### 1.6.8 Formal Consultation and Examination Copy

1.6.8.1 The formal ('Regulation 14') consultation period for the plan commenced on 3<sup>rd</sup> March 2016 and ended on the 19<sup>th</sup> April 2016.

1.6.8.2 Following consultation the comments made were individually logged and assessed. Where appropriate, changes were made to the policies and supporting text. The team also engaged further with selected consultees in order that their comments could be better understood. Further details can be found in the Consultation Statement Summary.

1.6.8.3 The amended text was approved by Bishop's Stortford Town Council on 25<sup>th</sup> July 2016.

1.6.8.4 All information was then submitted for independent examination by East Herts District Council.

## 1.7 THE FIRST REVISION

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1.7.1.1 A Revisions Team was set up by the Town Council in May 2020, following a public invitation, with terms of engagement provided to team members. The brief was to prepare a limited revision of the original plans. Team members comprised Councillors, representatives of some community organisations and interest groups, developer's representatives and some independent residents; all working under the guidance of the Town Council. Initially the team had 18 members but participation by some was inconsistent with later meetings being attended by a core of 10 to 12 members.

1.7.1.2 Subject leaders were selected from the team to form smaller groups to address the topics where most change to the original policies was anticipated. Individuals with particular interests or knowledge of the topic areas were co-opted onto these smaller groups by the subject leaders.

1.7.1.3 A first public consultation was held in October and November 2020, ending 15<sup>th</sup> November, with a flyer distributed through the neighbourhood plan areas, an exhibition at the Tourist Information Centre and information on the Town Council's website. Comments were invited by post, email and by completing a response form on-line. It was intended to have a consultation stall in Jackson Square in the town centre but plans for this were thwarted by lockdown measures due to the covid pandemic coming into force

only days beforehand. There were 108 responses to the survey.

1.7.1.4 Amendments to the draft plan were undertaken following the consultation process; taking into account the survey responses and reviews by the revisions team. This led to the preparation of a second revision for Regulation 14 consultation purposes which commenced on 8th February. Copies of the 2nd draft was again put on-line and a second flyer was distributed to the town inviting comments by 22nd March 2021. Comments were also invited from statutory bodies and organisations with special interests. Plans for holding consultations sessions in the town were again prevented by lockdown measures that had been in place throughout early 2021. As an alternative, on-line consultation opportunities using web-based conferencing software was provided during two days in February and one evening in March. A number of residents took this opportunity to engage with members of the neighbourhood plan revisions team and many comments were received. These were duly considered and incorporated where appropriate into the current version of the plan

### 1.7.2 Approval

1.7.2.1 The plan was formally approved for submission by the Town Council on 10<sup>th</sup> May 2021 and subject to Independent Examination in spring 2022.

### 1.7.3 Presentation of Plan

1.7.3.1 The plan comprises policies which apply to the whole neighbourhood area and policies which apply only to specific sites. The majority of the policies in the plan, the 'Site Independent' policies, apply to the whole Neighbourhood area

1.7.3.2 During the revision of the plan the opportunity was taken to align the, already very similar, site- independent policies in this

plan with the equivalent policies in the Neighbourhood Plan for Silverleys and Meads Wards (which covers that part of the civil parish not covered by this plan).

1.7.3.3 The objectives and policies in this plan are therefore in two sections, those which are site specific and those which are site independent. These are presented in two volumes namely this one and the accompanying volume 'Neighbourhood Plan for Silverleys and Meads Wards – Part 2 Site Independent Policies (1st Revision)'. The latter forms part of, and is incorporated into, this plan.

## 2 Vision and Objectives

### 2.1 OVERALL VISION

2.1.1.1 The overall vision for the Neighbourhood Plan is that the Neighbourhood Area should be a great place to live, work and play, embracing development and relating to Bishop's Stortford as a whole in a way that retains the unique market town characteristics and medieval charm, but at the same time provides the additional infrastructure and housing needed to support growth. There are some principles to the vision:

- Development must be suitable, sustainable and demonstrate excellent design so that people's quality of life both now and in the future is enhanced by well thought out housing, infrastructure, and other facilities creating a sense of local community;
- Development should complement and support the existing character and cultural heritage of the market town and its river and create an attractive mix of well maintained residential and green spaces within a safe environment;
- Major development on the edge of the current built up area should be designed with Garden City principles, specifically incorporating its own green infrastructure (gardens, parks and landscaping) so as to create a smooth transition between the historic centre and the rural hinterland beyond;
- The River Stort is widely recognised as an under-used asset for the town; it should be developed as a focus for the town, in terms of leisure use, pedestrian and cycle usage, and wildlife diversity;
- Development within the town centre should seek to enhance and complement

existing provision through sensitive regeneration, renovation and conservation;

- The transport infrastructure with its improved links should evolve in a way which facilitates economic and social activity without undermining the features that makes the town desirable;
- Schooling and health infrastructure should meet the needs of the population and be accessible;
- The town centre should remain the primary location for retail and service provision and be attractive, prosperous and vibrant. It should remain the heart of the town with appropriate connections to it;
- Businesses should be attracted to Bishop's Stortford due its highly skilled local workforce and high quality premises.

2.1.1.2 This Vision is supported by a set of objectives under individual policy themes as set out below.

### 2.2 SITE INDEPENDENT OBJECTIVES

2.2.1.1 Site Independent Objectives can be found in the volume 'Neighbourhood Plan for All Saints, Central, South and part of Thorley – Part 2 Site Independent Policies (1st Revision)'.

### 2.3 SITE SPECIFIC OBJECTIVES

#### 2.3.1 The Goods Yard

2.3.1.1 Sensitive re-development of the Goods Yard presents a huge opportunity to provide a welcoming gateway to Bishop's Stortford and to greatly improve the

accessibility of the town centre from the southern side of the town. Coupled with improvements to surrounding areas there is the chance to transform the site from a barren vista of cars into a vibrant contributor to the life and soul of the town.

### 2.3.1.2 Objectives

- Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging the longstanding links of the area with travel and transport
- Provide a transport interchange to promote better connections between all means of transport
- Improve vehicle access routes to the site and connections with the rest of the town
- Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan
- Provide easy and safe pedestrian and cycle links to and from the site

2.3.1.3 In July 2018 planning permission (in part outline, in part full) was granted for a major mixed use scheme. The site will be subject to future planning applications. Relevant policies are set out in section 3.2.

### 2.3.2 Land South of Bishop's Stortford

2.3.2.1 The area between Whittington Way and the bypass is allocated for 750 dwellings, a secondary school and a primary school, supporting infrastructure, access and a business park within the District Plan. The site was granted planning permission (in part outline and in part full) in December 2019.

Relevant policies are set out in section 3.3.

#### 2.3.2.2 Objectives

- Ensure that development is delivered in accordance with the Parameter Plans approved as part of the hybrid application, planning conditions and S106 obligations.

- Ensure that in implementing the development protection is given to local features of the landscape and neighbouring green spaces.

### 2.3.3 The Bishop's Stortford High School Site

2.3.3.1 Bishop's Stortford High School is bounded by existing housing estates on three sides and the main London Road on the other. Bishop's Stortford High School is moving to a new site on the development at Bishop's Stortford South. The District Plan provides for the vacated site to be redeveloped with around 150 homes. Plans for the development have received a resolution to grant outline planning permission at Development Management Committee on 4 November 2020 for up to 223 dwellings under application reference 3/18/2253/OUT.

#### 2.3.3.□ Objectives

- Ensure any new housing is in keeping with the surrounding area
- Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

### 2.3.4 Bishop's Stortford East of Manor Links

2.3.4.1 Manor Links is an area of large low-rise mature bungalows on large plots with open aspects.

2.3.4.2 Within the District Plan, the Green Belt boundaries are amended and site BISH9 is allocated for development. The area in question backs directly on to the gardens of bungalows in Manor Links and two storey properties in Cecil Close and Shortcroft. Planning permission for residential development was granted in February 2021 (3/20/0245/FUL).

### **2.3.4.3 Objectives**

- Ensure development sits comfortably, presents favourable vistas, provides community facilities which includes open spaces and play areas and has adequate traffic planning.

### 3 Policies

#### 3.1 SITE INDEPENDENT POLICIES

**SI1 – Site Independent Policies**

a) The Policies set out in the volume 'Neighbourhood Plan for All Saints, Central, South and part of Thorley – Part 2 Site Independent Policies (1st Revision)' are incorporated into this plan.

b) Where these policies refer to 'designated locations' the designated locations in relation to the policy stated shall be as follows.

Policy Number	Designated Location
GIP2	a) <ol style="list-style-type: none"> <li>1. Birchanger Wood</li> <li>2. The Firs</li> <li>3. The Spinney</li> <li>4. Burley Road Play Area</li> <li>5. The Baron's Play Area</li> <li>6. Dimsdale Crescent Play Area</li> <li>7. Knebworth Court Play Area</li> <li>8. Wilson Close Play Area (Rhodes Avenue)</li> <li>9. Nightingales' Play Area</li> <li>10. Ward Crescent Allotments</li> <li>11. Hallingbury Road West Allotments</li> <li>12. Haymeads Lane Allotments</li> <li>13. London Road Allotments</li> <li>14. Thorley Street Allotments</li> <li>15. Central Green at Turners' Crescent, St Michael's Mead, Thorley</li> <li>16. Landscaped Garden at Mercer's Avenue, St Michael's Mead, Thorley</li> <li>17. Landscape Green Space at The Carpenters, St Michael's Mead, Thorley</li> <li>18. Landscaped Garden on Millner's Way, St Michael's</li> </ol>

Mead, Thorley <ol style="list-style-type: none"> <li>19. Thorley Wash nature reserve (part thereof within Neighbourhood Plan Area)</li> <li>20. Trinity Close Play Area</li> <li>21. Parsonage Field</li> <li>22. Thorley Cricket Ground</li> <li>23. Ward Crescent Green and Play Area</li> <li>24. Waytemore Road Green and Play Area</li> </ol> c) <ol style="list-style-type: none"> <li>1. Apton Road Pond</li> <li>2. Cox's Garden on Havers estate</li> <li>3. The Green: a square bounded by Audrey Gardens, Mary Park Gardens and Bishops Avenue</li> <li>4. Thorley Verge</li> <li>5. Nettleswell Gardens at Rhodes Centre</li> <li>6. Old Cemetery and New Cemetery</li> <li>7. Area adjacent to Rushleigh Green and the Ridings</li> <li>8. Established mature woodland between Thorley Lane East and Broadleaf Avenue</li> <li>9. Boundary Strip to St Michael's Mead bounded by A1184 (St. James' Way), Mercer's Avenue, Moor Hall Lane and rear of Housing on The Shearers</li> <li>10. Boundary Strip to St Michael's Mead bounded by A1184 (St James' Way), B1004, Mercer's Avenue and rear of housing on Blacksmith's Close and Tailors</li> <li>11. Area of Woodland at Entrance to St Michael's Mead on Moor Hall Lane</li> <li>12. Green Space at end of Alder Close</li> <li>13. Green Space near corner of Sainsbury's, Thorley between</li> </ol>
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	66A Ashdale and 29 Irving Close
TP4	<p>h)</p> <ul style="list-style-type: none"> <li>• Safe and connected routes from the Bishops Stortford South / Thorley area (potential to include use of The Firs and Thorley Wedge routes); Manor Links; Parsonage Lane area; Bishops Stortford North; and Bishop's Park to the town centre and station.</li> <li>• Improved permeability through the Goods Yard and improved pedestrian routes between the railway station and local schools.</li> <li>• Improved signage and route quality for pedestrians from the station to the town centre.</li> <li>• Safety improvements to the pavements on the South side of the river bridge in Station Road, so that pedestrians can pass each other safely and without having to step into the road.</li> <li>• Provide safe pedestrian and cyclist crossing facilities at or near to Hockerill junction.</li> <li>• Routes that support cycle commuting to key local destinations: including the station; centralised primary healthcare services at Herts and Essex Community Hospital; local employment areas (including industrial estates); Stansted Airport; Stansted Mountfitchet; Hadhams; Ware; Harlow;</li> </ul>

	<p>Sawbridgeworth; and Canfield/Takeley.</p> <ul style="list-style-type: none"> <li>• Improved connections to the River Stort and improvements to the River footpath/towpath including the enhancement of this route for both leisure and utility use.</li> <li>• Town centre pedestrianisation schemes to improve pedestrian priority and amenity.</li> <li>• Identify and maximise routes that improve sustainable travel access to employment areas such as the town centre, Twyford Road, Woodside, Raynham Road Industrial Estate, Stortford Hall Industrial park, Millside Industrial Estate</li> </ul>
TP6	<p>b)</p> <ul style="list-style-type: none"> <li>○ Hockerill junction.</li> <li>○ London Road/B1529/Hallingbury Road/Crescent Road.</li> <li>○ London Road/Thorley Street.</li> <li>○ Dunmow Road.</li> <li>○ Goods Yard area.</li> <li>○ Whitehill/Great Hadham Road (where there are accesses to 4 schools in close proximity).</li> </ul>

## 3.2 THE GOODS YARD

### 3.2.1 Introduction

3.2.1.1 The Goods Yard site has been an area of undeveloped brownfield land on the edge of the town centre between the railway and River Stort that has provided much needed station parking for a number of years. Until recently the site was divided by a spur of fenced off railway track that prevented any meaningful use of the site other than for a

number of fragmented car parks forcing circuitous routes for pedestrians using the bus, railway station or nearby facilities.

3.2.1.2 The site was allocated for potential development in the East Herts Local Plan (2007) as BIS15 and included in the District Plan (2018) BISH7.

3.2.1.3 In July 2018 planning permission (in part outline, in part full) was granted for a major comprehensive mixed use scheme, including around 600 residential units. Development is underway on parts of the site. The remainder of this section was drafted at an earlier stage. Owing to a number of changes in circumstances, a revised Masterplan has been prepared, and adopted by the District Council in March 2022. The revised scheme will need to be the subject of further planning permission(s). It therefore makes sense for the time being for the contents of section 3.2 to be retained.

3.2.1.4 Planning of the site should be addressed in a comprehensive manner generally following 'Building for Life' and 'Active Design' good practice guidelines as mentioned in HDP2 and HDP3, but more specifically policies set out in this chapter.

3.2.1.5 Sensitive re-development presents a huge opportunity to provide a welcoming gateway to Bishop's Stortford and to greatly improve the accessibility of the town centre from the southern side of the town. Coupled with improvements to surrounding areas there is the chance to transform the site from a barren vista of cars into a vibrant contributor to the life and soul of the town. This was one of the most important findings from the Focus Group session about the development of the Old Goods Yard site held in February 2015.

3.2.1.6 There are considerable challenges, not least because of the shape and location of the site, proximity to road, rail and river

and the variety of dominant, largely unattractive architectural forms nearby. It should be recognised that the development can only go ahead if it is viable and sustainable, especially when taking into account the need to increase current parking levels and other potential developments in the town centre, notably that of Old River Lane.

3.2.1.7 Many passengers already drive from the Essex and Hertfordshire villages and park at the station. The Herts County Urban Travel Plan for Bishop's Stortford (2012) includes a map which shows the distribution of season ticket holders using Bishop's Stortford station. This is included in the Evidence Base as it shows car parking needs to cater for those coming from well outside Bishop's Stortford itself.

3.2.1.8 The two maps below show the location and detail of the site.



**Figure 2 – Goods Yard Location**

3.2.1.9 The long term vision for the site is that it should provide an attractive and innovative Gateway to Bishop's Stortford, recognising its contribution to the heritage of the town.

### 3.2.2 Objectives

3.2.2.1 The policies in this chapter which support that vision are grouped under the objectives below.

- Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging the longstanding links of the area with travel and transport

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- Provide a transport interchange to promote better connections between all means of transport
- Improve vehicle access routes to the site and connections with the rest of the town
- Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan
- Provide easy and safe pedestrian and cycle links to and from the site

3.2.2.2 Policies elsewhere in this Plan, most notably (but not exclusively) in the sections related to Housing & Design, Green Infrastructure, Transport, also apply to this site and contribute towards achieving these objectives.

and cannot be used in isolation. Furthermore the scale of the objectives is such that schemes using only part of this site, other than as part of a comprehensive masterplan for the development of the whole site to be implemented in full, will not be supported.

### 3.2.3 Objective: Create a welcoming and pleasant public realm, enhancing the river environment and acknowledging links with travel and transport

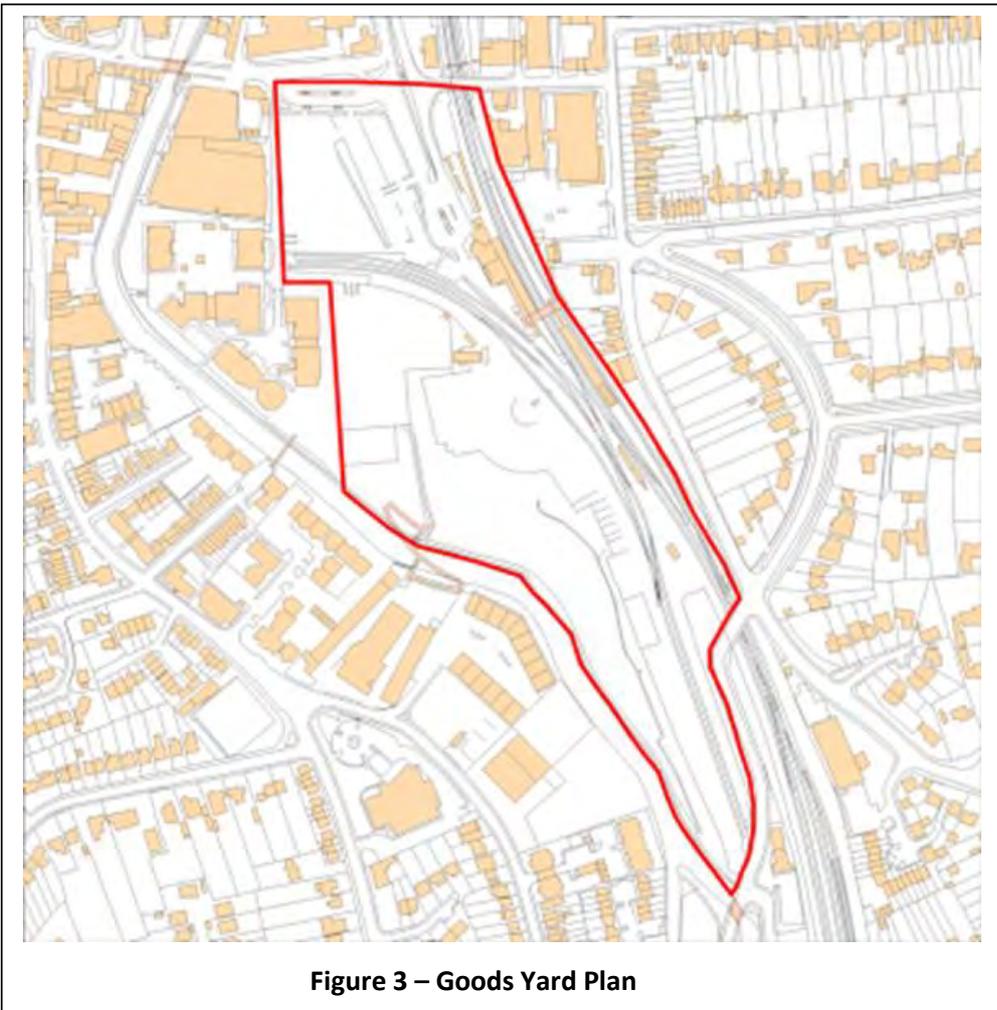


Figure 3 – Goods Yard Plan

3.2.2.3 Each policy in this section addresses each objective as part of an integrated approach to re-development of the whole site

3.2.3.1 Visitors to Bishop's Stortford arriving at the train or bus station are currently faced with an unappealing scene of parked cars surrounded by a variety of

large buildings of uncertain use. New development should seek to transform this current landscape into one that is attractive and encourages people to stay whilst being easy to pass through en-route to the town centre or other parts of the town.

3.2.3.2 Full use should be made of the river and towpath with moorings to improve their connection, as well as views towards St. Michael's Church and the old Maltings buildings across the river to enhance the ambience of the area. The development should call on themes that reflect the historic links of the area with travel and transport, particularly the railways, but also acknowledging association with the river and canal, the nearby coaching route through Hockerill and the present day connection with Stansted Airport.

3.2.3.3 There is a contrast in surrounding buildings between the part of the site to the north of the Stort footbridge where large, ugly commercial buildings and the dull John Dyde flats dominate, compared to the southern end opposite the Maltings where a very traditional flavour is present. Building style should recognize this disparity, and use appropriate styles as described in policy GY1 generally in accordance with the character management principles described for the AECOM Character Assessment, a summary of which appears in Appendix 3. The Oct 2015 focus group mentioned 'The Weave' building in York as an impressive example of innovative, modernistic styling that could be suitable for the northern end of the site. The curved forms and woven styles echo local themes in a way that could be done for a landmark building in Bishop's Stortford drawing on the transport and industrial heritage of the area. South of the

Stort footbridge, building height must be in keeping with existing building height and to keep sight of the river.

3.2.3.4 The low lying nature of the site and its proximity to the river mean any development must be subject to a full flood risk assessment in accordance with Government and District Plan policies in force at the time to protect the improved public realm.



### **GY1 – Improved public realm**

a) Schemes that address all of the following under a comprehensive masterplan for development of the whole site will be supported. A phased approach to the development of the whole site will be considered, provided that infrastructure improvements associated with each phase be completed first .

- An attractive and welcoming appearance, particularly to those arriving in the town in the train station area, providing a memorable gateway to Bishop's Stortford taking account of the important views from the railway station entrance towards the old Maltings buildings, the river and St Michael's Church and maintaining a clear sightline to one or both of these buildings if at all possible having regard to the development as a whole. Development must be of a high quality that

demonstrates an understanding of local history and acknowledges the vernacular style and materials to the south of the Stort footbridge, as well as the scale of nearby buildings to the north of it.

- People friendly features within the built environment such as seats, tree and shrub planting, water features, sculptures, informal meeting places etc. to enhance the appeal of public places and through ways. Such features should reflect the historic links of the area with the river and railway industry and their contribution to the town's heritage using a common palette of materials, street furniture and signage.
- Green spaces to improve existing unmanaged scrubland to the south of site, preserving and enhancing existing riverside habitats. A sensible balance should be sought between managed leisure areas, such as pocket parks or play areas, and a lightly maintained natural environment. Mature trees should be kept wherever possible or, if feasible, lifted for use elsewhere.
- Continuous public access to an active river frontage with features such as cafes, recreational areas and moorings to encourage engagement with the river.
- Downwards gradation of building height towards the river/towpath to avoid canyoning of river bank within the site and to maximise sunlight at ground level. South of the Stort footbridge, buildings should be generally lower than on the northern part of the site.
- A full implementation of all flood protection and mitigation measures recommended as the result of the required flood risk assessment to avoid longterm adverse impact on the improved public

realm.

- Use of the concept of 'shared space' between pedestrians, cyclists and motorists, where appropriate, and with traffic calming, to improve safety and create a relaxed introduction to the town.
- An attractive area including greenery, cafes, public space and small scale retail allowing passers-by to pause and relax. Possible locations for such an area are opposite the Leisure Centre forecourt or the railway station forecourt
- Suitable surfaces and gradients should be used to enable reasonable wheelchair and motor scooter-access to all areas combined with pedestrian and cycle routes wherever possible.

b) North of the Stort footbridge bold, innovative styling acknowledging local heritage can be used. An iconic building(s) with height using modern materials to create interesting forms would be permissible, providing this graded towards, and did not overshadow, the river.

c) A small scale development to further improve the existing train station facilities that does not increase its existing area by more than 50% will be considered provided it conforms with other policies in this Plan and allows development of the whole site.

3.2.3.5 Bishop's Stortford is already the primary retail centre for East Hertfordshire. The primary shop front areas are in North Street, South Street and Jackson Square. In contrast, the Goods Yard site with large numbers of people passing through (the railway station had almost 3 million users in 2012/3) and close to flatted residential areas will be able to support a balanced offering of small scale retail outlets, service shops and more informal cafes and restaurants.

3.2.3.6 It is inevitable that the majority of housing on the site is flats and it has been seen from the popularity of the recent Churchill development of retirement flats in nearby South Street that this type of provision is well liked by older people. The Goods Yard development is close to the town centre as well as public transport connections and will have its own service/retail offering and communal areas making it attractive to those looking for a smaller property with easy access to most amenities. For the same reasons, those of all ages with mobility issues could find a home in the development suitable and appealing for them. Other groups, such as young professionals, wanting an attractive, high quality home less than an hour from the centre of London would also find such homes attractive. Both market housing and affordable housing should be built to a high standard suitable for both older and disabled residents.

3.2.3.7 A number of attempts have been made to re-locate the South Street surgery which is in unsuitable premises for a modern practice and the presence of an easily accessible local medical centre within the development is suggested. Significant numbers of people attending the consultation days suggested this location as a suitable new site for the practice, although the NHS decision making body may favour another location, yet to be confirmed. Re-locating the surgery with an associated pharmacy within the development would, however, increase footfall outside of the busy commuter times and help viability of the scheme.



3.2.3.8 The Business & Employment study (Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council 2013) shows there is a demand for high quality office space close to the town centre as older, unsuitable premises are converted to other uses or replaced. However, although the District Plan BISH7 strongly recommends office space as a use of the site, the continued availability of the Charringtons offices suggest a conservative approach to further large scale provision of new office space without clear justification. Bishop's Stortford no longer has a major hotel and its position close to Stansted airport and other transport links suggest that a modest hotel operation could be viable. Hotel use would increase activity outside the busy travelling time and contribute to the sustainability of the development. Light industrial uses are no longer suitable for this site due to the poor road access and adverse impact on the nearby river and homes.

3.2.3.9 Results from the Bishop's Stortford Neighbourhood Plan All Saints, Central, South and Part of Thorley Questionnaire showed that 55% of respondents would increase their usage of the town centre were more public conveniences available. Thus, the provision of public conveniences in a development as large as this, is considered very important.



### GY2 – Site Uses

a) Only comprehensive schemes that include and address all of the following will be supported:-

- Residential provision for around 600 dwellings, or whatever lower limit supersedes this in the draft District Plan once it is made;
- Built to a high standard with easy access for those of all ages and abilities;
- Dwellings to be sited away from the railway line and any busy vehicle access points allowing for suitable noise and air pollution mitigation;
- Shop premises aimed at secondary shop front uses such as small scale retail, service and food outlets for both passing trade and local patronage.

b) Schemes that include the following will also be supported, unless further evidence based investigation by developers can demonstrate they are unsuitable or unnecessary:-

- Office space (B1 Business) of high quality;
- Local medical centre, not a main hub;
- Hotel, located close to the transport interchange;
- Buildings that, because of their scale, position or mix of uses, can benefit from a renewable energy source;
- Public conveniences available to all.

### 3.2.4 Objective: Provide a transport interchange to promote better connections between all means of transport

3.2.4.1 The railway station is the sixth busiest in the Hertfordshire commuter belt, just behind Elstree and Harpenden, with almost 3 million journeys starting or finishing there in 2012/3 (HCTS 2012 Appendix D 53). It is on the main line between Cambridge and London which also services Stansted Airport and use will grow substantially with the large scale residential developments planned in Bishop's Stortford and over the adjacent Essex border.

3.2.4.2 The hive of activity and traffic congestion seen around the station in the morning and evening peak periods indicate that movement between the different modes of travel could be far more efficiently organised and encourage greater use of sustainable means of transport. Currently, the bus standings are separated from the train station entrance with both having poorly defined and restricted pedestrian and cycle connections to them, crossing or close to taxi and car park traffic.

3.2.4.3 It is strongly recommended that the area close to the railway station forecourt is formally recognised as a transport interchange and the development of the site which includes this area provides just such an opportunity. Transport for London, who have had to deal with the same challenges many times within the capital, have a template guide 'Interchange Best Practice Guidelines' that could be used during the design and delivery process to tailor the best possible solution for Bishop's Stortford.

3.2.4.4 Schemes are normally tailored to meet the following criteria:-

- Efficiency – operational use, movement to and within, sustainability
- Usability – accessibility, safety and security
- Understanding – wayfinding, information, legibility
- Quality – built design, urban realm, sense of place

All four criteria should have equal importance in the design of proposed solutions.

**GY3 – Transport interchange**

a) Only schemes that follow best practice (e.g. the TFL 'Interchange Best Practice Guidelines' reference guide) will be acceptable. The interchange must be safe and efficient to use for all types of users and usages.

b) The catchment area when assessing current and future needs for those arriving in vehicles (private cars, taxis and buses) is defined as that bounded by points halfway between Bishop's Stortford railway station and the next nearest mainline station with dedicated parking for rail users of more than fifty cars. The catchment area for pedestrians is defined as within the town boundary, extending to 10 miles for cyclists.

c) Developers will be required to establish current and future usage through an independent assessment, taking into account additional use due to all relevant development schemes within the catchment area that at the time of assessment:-

- have planning approval but await execution, or
- are under planning application, or
- are specified as likely to be delivered within the lifetime of the District Plans of East Herts and Uttlesford.

d) The transport interchange must be close to the train station entrance and allows easy

movement between the different modes of transport, notably bus, train, taxi, cycling and walking (including wheelchairs and mobility scooters) with the following features:-

- be safe, well lit, and have high quality, weather proof waiting areas as well as a generally open layout to enhance the user's perceptions of personal security;
- be configured in such a way to enable the introduction of intelligent transport systems, e.g. dynamic bus stand allocation, with up-to-date real time information and timetables that are well positioned and accessible remotely using mobile devices;
- have signage provided in a position and format that is easily read by all, including the partially sighted and those unable to stand;
- have dedicated space for efficient taxi rank operation, separate from private car access to parking;
- have cycle parking/storage as near as possible to the train station entrance;
- have private car drop-off/pick-up points to site at London Road and Dane Street train station exits, and at the proposed new southern car access point.

**3.2.5 Objective: Improve vehicle access routes to the site and connections with the rest of the town**

3.2.5.1 Currently, the only access to and from the site for private vehicles (approximately 1,000 spaces for public and residential parking plus set down and pick up), buses in and out of the bus station and taxis to and from the railway station, is via two entrances/exits onto Station Road within less than 100 metres of each other, one of which is a narrow one way street with alternating, traffic light controlled flows. Congestion,

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particularly in the evening as trains arrive, is routine and, although it does eventually subside outside the peak morning and evening periods, the restricted access greatly exacerbates the situation.

3.2.5.2 Furthermore, cars approaching the town centre from the south have only two reasonable options when looking for parking, one via South Street onto Adderley Road or via the Hockerill junction onto the Causeway or Station Road, both of which enter or cross the one-way system. The Hockerill junction is already an air quality monitoring area where recognised acceptable levels of pollution are regularly exceeded. Unless an additional access to the site is made, the additional traffic load created by increased use of the Goods Yard development plus large scale residential developments elsewhere in the town and surrounding districts will increase standing traffic and pollution levels at all the known pinchpoints. It should be noted that the NPPF Planning Practice Guidance states that air quality is relevant to planning decisions where a development would 'Significantly affect traffic in the immediate vicinity of the proposed development site or further afield', which is almost certainly the situation here.

3.2.5.3 Fortunately, the extent of the site southwards to London Road at Tanners Wharf provides an opportunity to mitigate the impact of the increased traffic flows by creating a new two way access point to parking on the site. This would avoid the need to use the Hockerill junction and Station Road for vehicles coming from the South. Failure to provide such an access away from the town centre road system would effectively mean any development of the site would not be acceptable due to the resulting increase in congestion and air pollution.

3.2.5.4 Notwithstanding the above recommendation, sound traffic modelling, as described in TP1, must be used to inform any decisions about changes to road layout and junctions around the site.

### **GY4 – Vehicle connections to and from the site**

a) Sound traffic modelling, in accordance with TP1, shall be used to determine the changes to road configurations and connections around the development.

b) Unless such traffic modelling can demonstrate wait times and pollution levels will be within the limits set in TP1 at all junctions affected by the development, only schemes that provide the following access solution will be acceptable:

- Two-way southern car access to the site for parking from London Road near Tanners Wharf, minimising interruption to traffic flow on London Road.
- Two-way car access to the site for parking from Station Rd, minimising interruption to traffic flow on the one-way system.

c) Schemes that additionally have a north-south throughway link between London Road and Station Road will be preferred.

d) Schemes that restrict or prevent full development of the site or future access to the site from London Road near Tanners Wharf will not be supported.

### **3.2.6 Objective: Provide sufficient car and cycle parking for users throughout the period covered by the Neighbourhood Plan**

3.2.6.1 In the Bishop's Stortford Neighbourhood Plan Questionnaire 2014 improved car parking was top of the improvements that would encourage people

to visit the town centre more and better cycle parking was a significant reason for people to want to leave their cars at home when making journeys within the town.

3.2.6.2 Although the car and cycle parking currently on or around the Goods Yard site are for those using the station, it is essential that increased needs for car parking stemming from the development are fully accommodated and that car parking demand particularly is not pushed out into the other town centre car parks.

3.2.6.3 The catchment area when assessing both car and cycle parking must cover a reasonable area for both types of use and take account of future developments within those areas.

### **GY5 – Car and cycle parking**

a) Only development schemes that address the need for car and cycle parking now and in the foreseeable future as determined in accordance with Policy GY3 parts b) and c).

b) During the construction phase of development for the site, car and cycle parking capacity must be maintained at the current level and, if any part of the scheme comes into use such that demand increases, capacity must be increased accordingly within that phase.

c) Suitable cycle parking must be provided in accessible and secure locations within the development for those visiting its facilities, ideally close to where cycle links already exist or are proposed.

d) Car parking must be attractive and of good quality (not exposed steel girder construction). It should also be of a design that feels safe and secure to use even at quiet times of the day with clear separation between cars and those on foot, particularly at vehicle entrance and exit points.

e) All possible steps should be taken at the design stage to ensure that the car entrance and exits operate efficiently and do not cause unnecessary delays.

f) Schemes that additionally include car parking that uses the noise blighted area alongside the railway line will be particularly welcome.

g) Depending on the siting of car parking, and unless traffic modelling can demonstrate they are unnecessary or unsuitable, elevated vehicle access to car parking should be provided from

- Station Road bridge over the railway line and
- London Road between the Tanners Wharf traffic lights and the mini roundabout junction with Hallingbury Road.

### **3.2.7 Objective: Provide easy and safe pedestrian and cycle links to and from the site**

3.2.7.1 There is already a high level of pedestrian traffic to and from the railway station, bus station and other nearby facilities, such as the leisure centre, as well as the area being a through route for school children coming from one side of the town to nearby secondary schools (as noted in the Feb 2015 Focus Group).



3.2.7.2 The towpath running from Sworder's Field through to Twyford Lock and beyond is also a popular route for both leisure and those

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walking to the town centre from the south particularly. Existing safe cycle access is limited apart from the River Stort cycle and footbridge. It is essential that these routes are maintained and improved to make development of the site acceptable and to encourage modal shift towards sustainable forms of transport.

3.2.7.3 Although just outside the Neighbourhood Area, every opportunity must be taken to link with the proposed new footbridge over the river alongside Station Road.<sup>2</sup> Other key connection points are marked on the map below (Fig 10). It is recognized that some of these points are just outside the site boundary and do not always have good onward routes to the main destinations within the town. As such, they are good candidates for improvement using S106 developer contributions to mitigate increased pollution from additional traffic as the result of development.



### **GY6 – Pedestrian and cycle links**

a) Only schemes that address and include the following will be supported:-

- Pedestrian/cycle throughway from the train station forecourt in Dane Street

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<sup>2</sup> HCC Planning Reference ITP13060 Station Road Bridge Widening scheme.

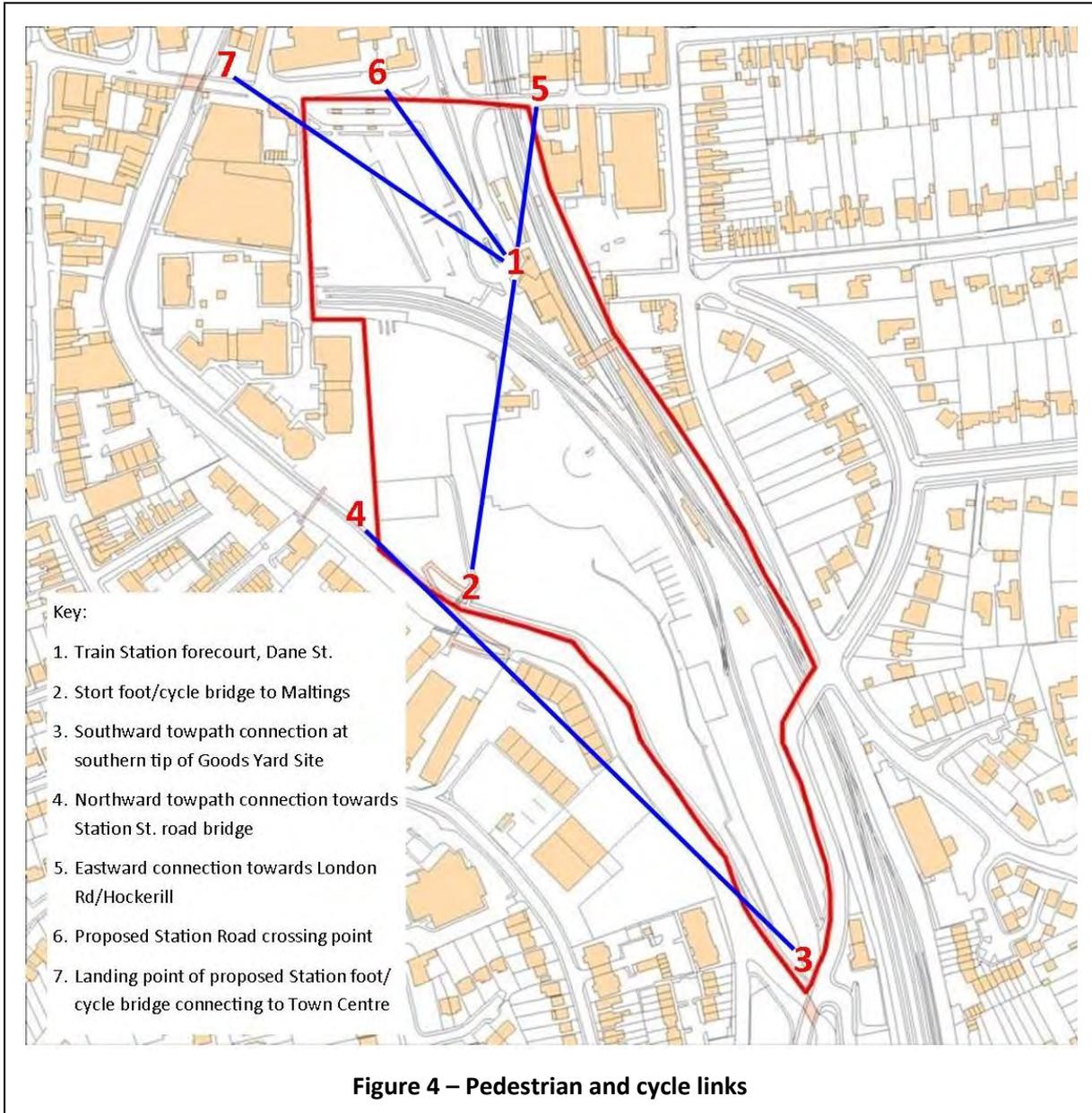
(shown as 1 in Fig 4) to the River Stort cycle footbridge (2 in Fig 4).

- Pedestrian/cycle route along tow path following the river bank from southern tip of site (3 in Fig 10) towards the John Dyde flats and Station Road Bridge (4 in Fig 4), keeping an appropriate soft edge to the riverbank.
- Pedestrian/cycle throughway from the train station forecourt in Dane Street (1 in Fig 4) towards London Road/Hockerill (5 in Fig 4).
- Pedestrian/cycle way from the train station forecourt in Dane Street (1 in Fig 4) to a point on Station Road opposite 'The Fountain' (6 in Fig 4).
- Pedestrian/cycle throughway from the train station forecourt in Dane Street (1 in Fig 4) to town centre using an enhanced riverside pathway under the Station Road river bridge linking to the proposed new footbridge over the river alongside Station Road (7 in Fig 4), unless further evidence based investigation by developers can demonstrate this is not feasible.

b) Schemes that do not provide pedestrian links that are capable of convenient connection to the new Station Road footbridge will not be supported.

c) In keeping with TP3, schemes that follow circuitous routes, or that pass through car parking or its access space will not be supported.

d) Schemes that do not comply with the standards defined in TP4 will not be supported. It is expected that developer contributions will be forthcoming to improve footpath and cycle way routes outside the site to mitigate the inevitable adverse impact on traffic and hence pollution in the surrounding area.



### 3.3 LAND SOUTH OF BISHOP'S STORTFORD

#### 3.3.1 Introduction

3.3.1.1 The area referred to in the 2018 District Plan as BISH5 'Land South of Bishop's Stortford' (also colloquially known as 'Bishop's Stortford South') is allocated for 750 homes, a secondary and primary school. Supporting infrastructure, access, a neighbourhood centre, care home and a business park are also proposed. It lies predominantly within Thorley Parish. The site is bounded by the London Road/Thorley Street main access route into Bishop's Stortford to the east; St James Way ring road to the south; Whittington Way access road to Twyford and Thorley Park estate to the north and Obrey Way - a narrow link road from Thorley Park to St James Way on the west. Both the London Road/Thorley Street and St James Way are busy roads into and out of Bishop's Stortford town.

3.3.1.2 The site has open views to the east/south east looking towards the Hallingburys and drops 20 metres from Obrey Way to London Road/Thorley Street. This site is the first view of the 'gateway' to Bishop's Stortford on the left when approached from the south and when developed it should give a favourable impression of the town's character. New roads should ensure existing views and vistas are maximized – for example the views to the east and south east and views towards the church at Thorley.

3.3.1.3 Immediately adjacent to the site, separated by Obrey Way, lies the Green Flag rated Southern Country Park. This is a very well used recreational facility for all ages and includes a teenage activity area, dog agility equipment area, fishing lake, marshland bird sanctuary, conservation areas for wildlife and

many different pathways used for health walks and the public in general. It attracts people from a wide area and can be accessed by car in Thorley Lane East off Obrey Way.

3.3.1.4 The Hertfordshire Way right of way runs across the site and has open uninterrupted views to the east and south east. There is also a footpath which runs between Obrey Way and Thorley Street. The site includes ancient hedgerows and a small brook river that runs from Obrey Way to the London Road/Thorley Street into the River Stort flood plain and area of Special Scientific Interest. Both the hedgerows and the footpaths have established trees and flora with the expected wildlife in both.

3.3.1.5 As this site is at the southern edge of Bishop's Stortford and the nearest community facilities at Thorley Neighbourhood Centre are more than the DfT's guidelines for reasonable walking distances it will be necessary to incorporate such facilities to promote social cohesion and encourage walking and to reduce car usage.

3.3.1.6 A hybrid planning application was approved in December 2019 for the allocated site following a masterplan process. The detailed part of the application, as approved, is for 142 homes and a new north-south spine road connecting Whittington Way and St James Way. The proposed secondary school and access arrangements also have detailed planning permission.

#### 3.3.2 Objectives

3.3.2.1 The policies in this section seek to achieve the following objectives:

- Ensure that development is delivered in accordance with the Parameter Plans approved as part of the hybrid application and the planning conditions and S106 obligations unless otherwise agreed.

- Ensure that in implementing the development protection is given to local features including landscape and neighbouring green spaces

3.3.2.2 Policies elsewhere in this document, most notably (but not exclusively) in the sections related to Housing and Design, Green Infrastructure, Transport, also apply to this site and contribute to achieving these objectives.

### **3.3.3 Objectives:**

- **Ensure that development is delivered in accordance with the Parameter Plans approved as part of the hybrid application, planning conditions and S106 obligations.**
- **Ensure that in implementing the development protection is given to local features of the landscape and neighbouring green spaces.**

#### **BSS1 – Implementation and Delivery of Site Allocation**

Any proposals for material changes to the outline planning permission (3/18/2253/OUT) for 608 homes (including parameter plans) will require the approval of a revised Masterplan and potentially an Environmental Impact Assessment (subject to confirmation of a Scoping Opinion) and transport assessment if relevant.

#### **BSS2 –Setting and character of buildings**

a) Housing around the west and south west boundaries to be no higher than two storeys with styles and palettes to complement the local landscape and adjacent developments at Thorley Park, Twyford estate and Thorley Street.

b) The interior area of the housing development is to be no higher than 2.5 storeys except around the central community facilities where well designed 3 storey properties would be permitted.

c) Design and layout should ensure that views of the open countryside to the east and south are maintained from some key focal locations (for example major community facilities) near the centre of the development unless it can be clearly demonstrated that this is not realistically practicable.

d) Proposals encompassing the creation of discrete neighbourhoods of distinct character for a planned development of this size would be supported.

e) Only development proposals that meet or exceed the energy efficiency requirements of District Plan policy DES4 (or any subsequent policy superseding it) will be supported.

f) The design, height, massing and materials of any envisaged community and commercial buildings must be in keeping with the area, particularly housing in Thorley Street, and have adequate parking.

g) mitigate loss of amenity to houses to the west of London Road, Thorley Street – especially the listed buildings – a buffer zone with suitable screening would be expected.

h) schools should form attractive visual features of the site that are in keeping with surrounding houses and be no higher than three storeys.

### **BSS3 – Community facilities**

a) This site is detached from the nearest community facilities at Thorley Neighbourhood Centre and more than the Department for Transport's guidelines for reasonable walking distances. Any proposals for the development of this site must enable social interaction and public services for the local community: local shops, a community hall, outdoor meeting places, allotments, health services and facilities that are accessible to all. They should be in suitable locations, served by a choice of sustainable travel and be of an appropriate scale and flexible design to enable multiple uses throughout the day.

b) Proposals must include inter-connected green spaces/recreational areas within the site which should be commensurate with and proportional to the numbers and types of occupants anticipated.

### **BSS4 – Access/egress to site**

a) The developer must consult with Hertfordshire Highways Department for travel plans and a traffic study to ensure the extra traffic associated with this site does not impact unfavourably on the surrounding areas.

b) Access points should be modelled and designed to minimize extra traffic flows through the residential area of Thorley Park.

c) The access road off St James Way that has planning approval will be the sole access/egress to the majority of the residential areas, schools and business park. The access road to the business park should be separate from access to the housing area to avoid any extra traffic within the housing area. Cyclists and pedestrians should have access to development from Whittington Way.

d) The developer will be expected to construct or pay for the construction of safe, level access across Obrey Way to the Southern Country Park and to the footbridge to St James Church, Thorley.

e) The location and access to new educational facilities should not cause congestion within the development and surrounding areas. Buses, coaches and cars must have an adequately sized, dedicated off road drop-off and pick-up area.

**3.3.4 Objective: Ensure that in implementing the development protection is given to local features of the landscape and neighbouring green spaces**

**BSS5 – Hertfordshire Way and green spaces**

a) The Hertfordshire Way crosses this site and its open aspect and some views to the open countryside must be maintained. This is used as a Bridleway and the minimum width should be 3m. Fencing adjacent to the footpath, if any, must be low visual impact and the design and layout of the site such that the open aspect is maintained and views not obstructed by built structures. To protect the existing flora & fauna a 10m wildlife corridor either side of the right of way should be maintained unless it is demonstrated that other appropriate measures would be more effective in terms of protecting and enhancing biodiversity.

b) Maintenance of the Hertfordshire Way would be the responsibility of the developer for the first 10 years after which the developer must agree with the Planning Authority responsibilities for maintenance thereafter.

c) The ancient hedgerow to the south of the site and two copses of mature trees must also be preserved.

d) Water courses should not be culverted and treated as a feature above ground and must be protected to conserve the SSSI east of London Road and any wildlife in situ.

**3.4 BISHOP'S STORTFORD HIGH SCHOOL SITE**

**3.4.1 Introduction**

3.4.1.1 The proposal for Bishop's Stortford High School to move received formal support from Hertfordshire County Council on 11 July 2016. The school is moving to a new site on the development at Bishop's Stortford South. Plans for redevelopment of the School site have now received a resolution to grant outline planning permission on 4 November 2020 for up to 223 dwellings under application reference: 3/18/2253/OUT.

**3.4.2 Objectives**

3.4.2.1 The policies in this section seek to achieve the following objectives:

- Ensure new housing is in keeping with surrounding area
- Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

**3.4.3 Objective: Ensure new housing is in keeping with surrounding area**

**BSSH1 – Setting and character of buildings**

a) New housing should make the best possible use of available land whilst respecting the character of the area with styles and pallets to complement the local landscape and adjacent housing.

b) Only development proposals that meet or exceed the energy efficiency requirements of District Plan Policy DES4 (or any subsequent policy superseding it) will be supported.

### 3.4.4 Objective: Ensure the inclusion of sustainable leisure, recreational and other public facilities on site

#### BSHS2 – Connectivity

a) Proposals for development of this site must ensure good pedestrian and cycle links to the surrounding development.

b) Consideration must be given within the application area to enhancing connectivity at either end to exploit opportunities for developing the Spinney as a sustainable route from the southern edge of town into the town centre.

## 3.5 BISHOP'S STORTFORD EAST OF MANOR LINKS

### 3.5.1 Introduction

3.5.1.1 The District Plan amends the Green Belt boundary east of Manor Links and allocates development of around 50 dwellings (BISH9). Planning permission for residential development was granted in February 2021 (3/20/0245/FUL).

3.5.1.2 The areas of Manor Links, Cecil Close and Shortcroft which directly adjoin the proposed development consist of large low rise mature bungalows and two-storey houses on large plots with open aspect to the proposed development site and a sense of space broken by a selection of mature trees. Mayes Close and Norris Close would experience traffic and footfall should the development proceed.

3.5.1.3 With around 50 new homes there will be extra pressure on the existing already busy surrounding roads. This pressure is due

to school traffic twice a day plus traffic to and from the town centre and to the M11 and airport along the Dunmow Road. The household recycling centre in Woodside Industrial Estate plus industrial vehicles to this site also generates considerable traffic.

### 3.5.2 Objective

3.5.2.1 The policies in this section seek to achieve the following objective:

- Ensure any development sits comfortably within the surrounding area, presents favourable vistas, provides community facilities which include open spaces and play areas and has adequate traffic planning and mitigation

3.5.2.2 Policies elsewhere in this document, most notably in the sections related to Housing and Design, Green Infrastructure, Transport also apply to this site and contribute to achieving this objective

3.5.2.3 In accordance with HDP1 the development should be designed and built on Garden Village/City principles to blend with other adjacent developments and to create a soft edge between it and the surrounding Green Belt area.

3.5.2.4 In accordance with HDP5 there is an opportunity to supply much needed bungalows capable of being adapted if necessary. There is also a need to provide easily accessible sheltered and supported housing.

**3.5.3 Objective: Ensure any development sits comfortably with the surrounding area, presents favourable vistas, provides community facilities which include open spaces and play areas and has adequate traffic planning and mitigation**

fund a formal crossing suitable for pedestrians and cyclists at Dunmow Road where Manor Links exits to provide a safe route for pedestrian traffic from this development.

**BSEM2 – Master-planning, setting and character**

a) Housing is to be no higher than two liveable storeys with styles and palettes to complement the local landscape and adjacent development of Manor Links, Shortcroft, Mayes Close, Cecil Close and Norris Close. Properties immediately adjacent to Manor Links should be a single liveable storey to meet community needs and to form a smooth transition to the adjacent green belt.

b) The design and layout of the site must:

- include open spaces to enable social interaction for the local community
- Be sympathetic to wildlife and maintain natural ditches and culvert. There should be opportunities for preserving and enhancing on-site assets and maximising opportunities to link into existing assets and enhance biodiversity. Consideration should be given to maintaining some of the existing scrubland as a wildlife haven.
- Preserve the route of the disused railway line to protect wildlife.

c) The access point to the site must be selected following appropriate traffic modelling to ascertain the safest route. Manor Links, Shortcroft, Dunmow Road and Parsonage Lane and schools' traffic must be specifically considered.

d) Unless traffic modelling shows that it is impractical the developer must construct or

### 4 Monitoring and Review

#### 4.1.1 Monitoring

4.1.1.1 This plan covers the period 2021–2033. Development will take place during this time, both in the Neighbourhood Area and outside it. This will have an impact on the area and on its relationship to the town as a whole. It is important that the effectiveness of the plan is monitored in the light of these developments.

4.1.1.2 The monitoring framework must answer two questions, namely:

- Are the policies being applied effectively?
- Are the policies achieving the objectives of the plan?

These will be monitored principally by the Town Council as a part of the process for review of planning applications. The Town Council already tracks and comments on all applications made and furthermore tracks the determinations made by East Herts Council and compares them to recommendations made by the Town. This process can be extended to track cases where decisions rest on or are influenced by policies in the Neighbourhood Plan, and thereby whether the policies are being applied effectively. This will be monitored approximately on an annual basis and reported through the appropriate Town Council committee (currently the Planning Committee). The monitoring period may be adjusted based on initial results.

#### 4.1.2 Review

4.1.2.1 If monitoring shows that the policies in the plan are not being applied effectively or the Plan is failing to achieve its objectives, action may be necessary to address the shortfall. This action could include:

- working with the East Herts Council and other partners to establish measures to make policies more effective
- negotiating with developers to secure the plan objectives and influence the shape of development, acting as a broker between landowner, developer and community
- supporting partner bids for funding to deliver key facilities
- supporting the creation of forums for strategic planning, for example for sports and leisure facilities
- a further review of the Neighbourhood Plan
- merging the two Neighbourhood Plans

## **5 Policy Index**

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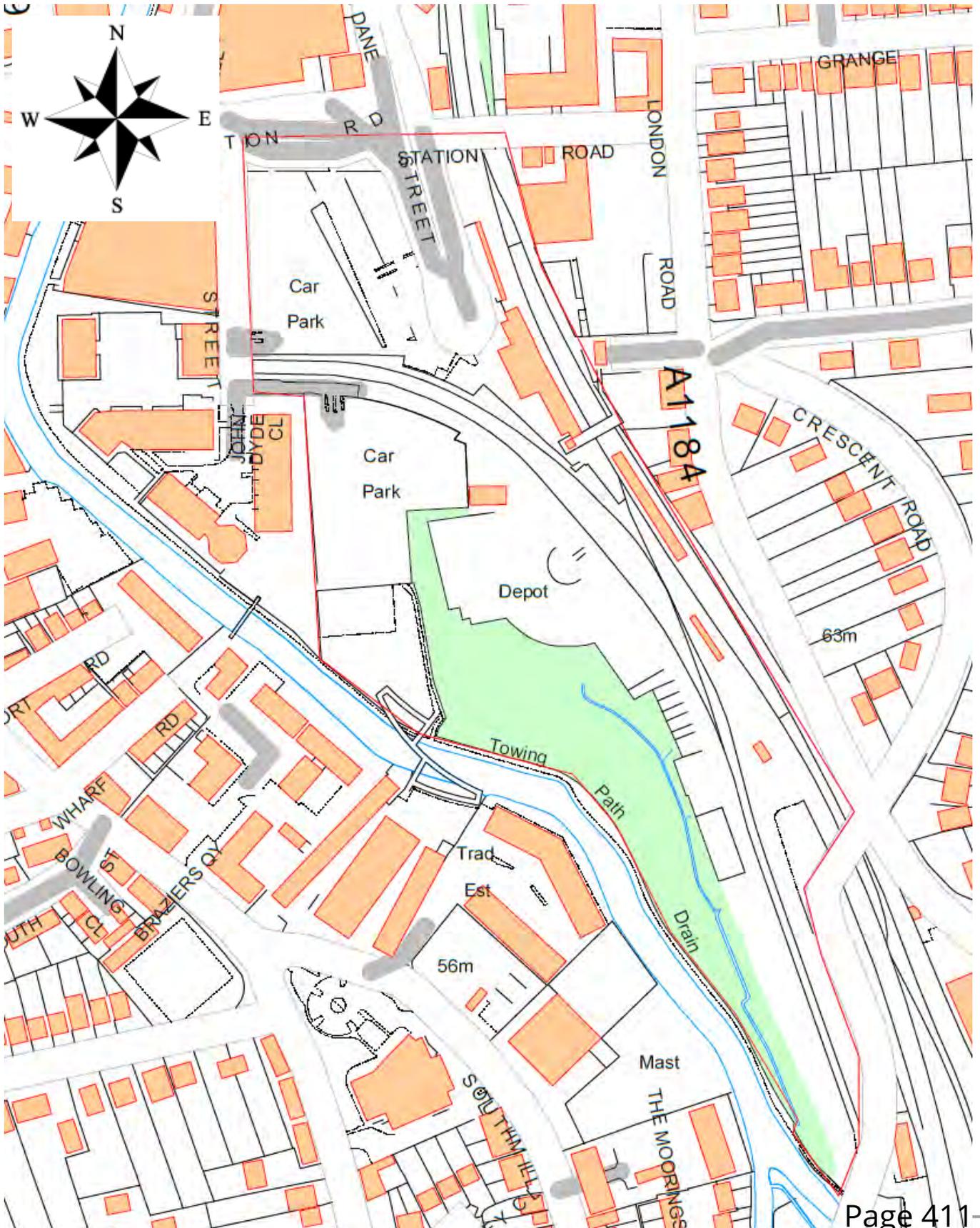
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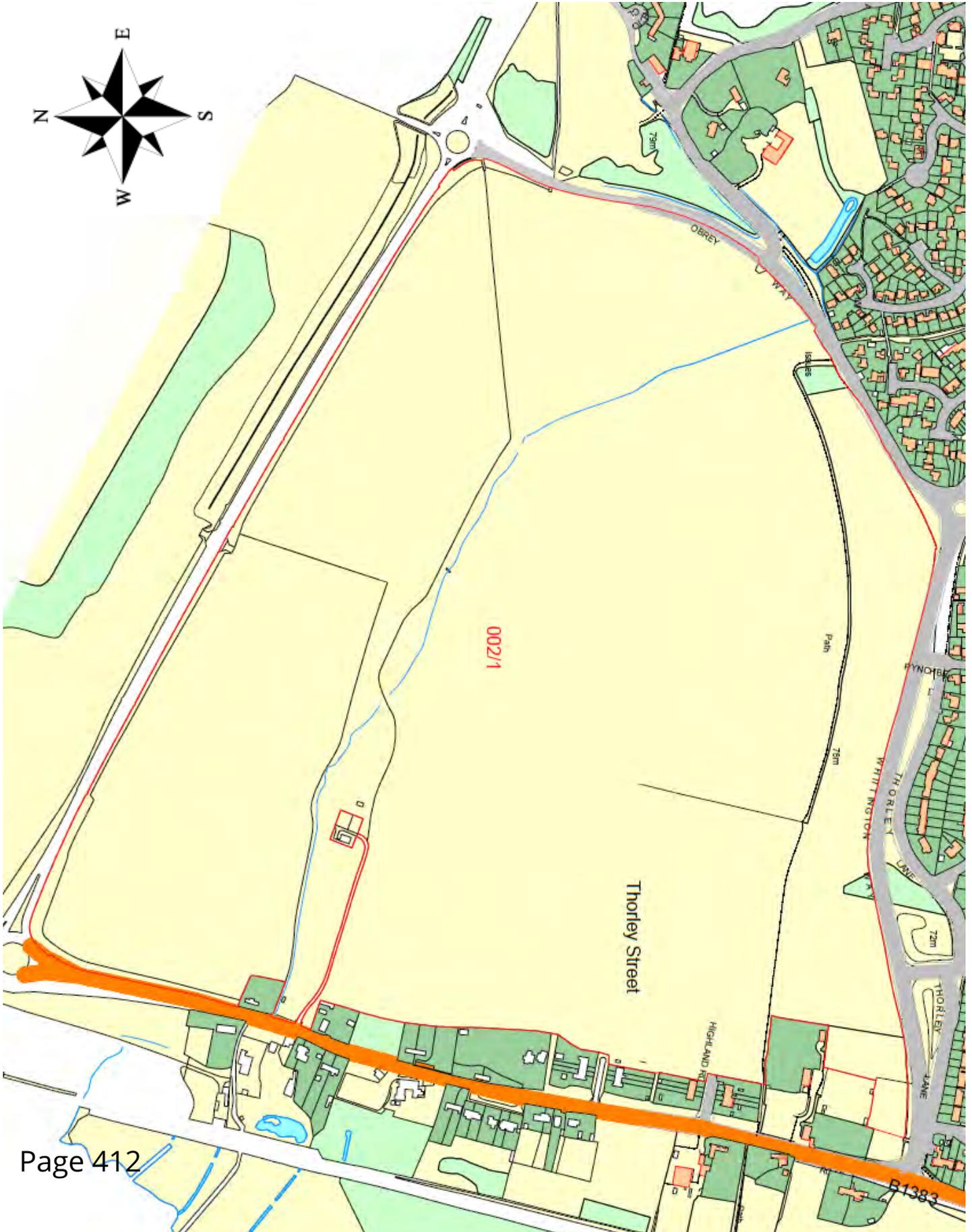
### 6.1 POLICY MAPS FOR THE GOODS YARD (GY)

#### 6.1.1 The Goods Yard (1:2500)



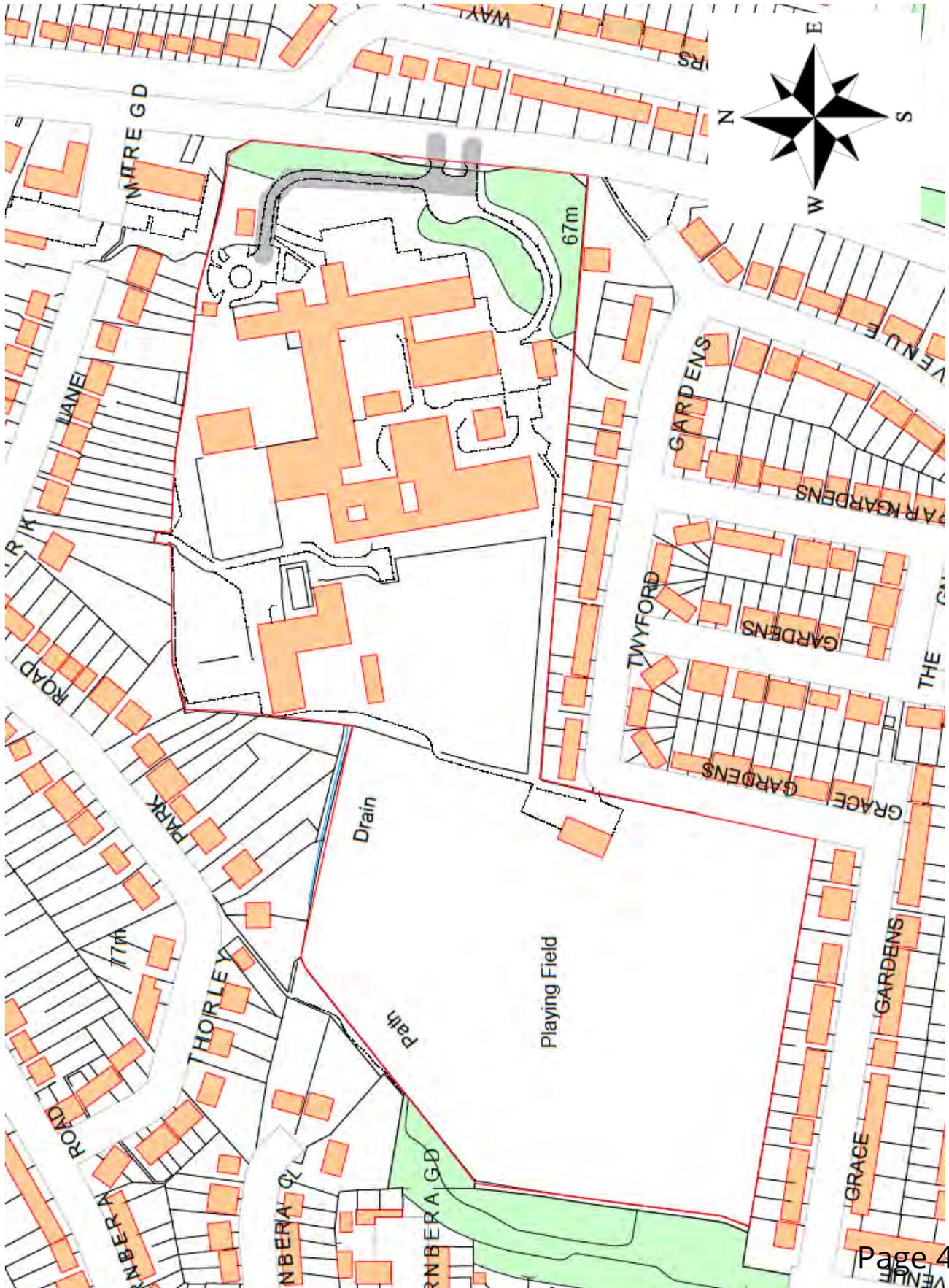
6.2 POLICY MAPS FOR LAND SOUTH OF BISHOP'S STORTFORD (BSS)

6.2.1 Land South of Bishop's Stortford (1:5000)



### 6.3 POLICY MAPS FOR BISHOP'S STORTFORD HIGH SCHOOL SITE (BSHS)

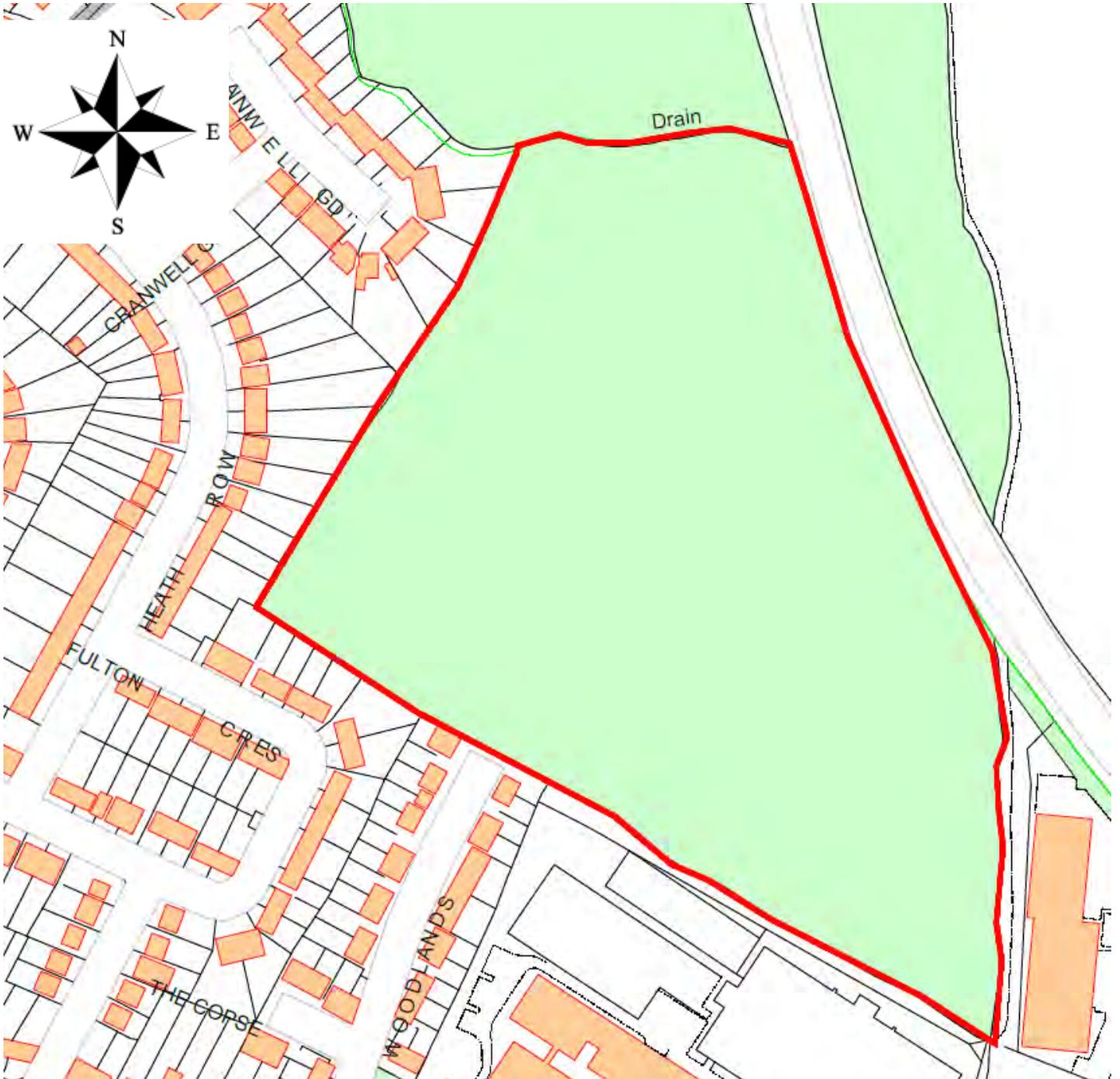
#### 6.3.1 Site of Bishop's Stortford High School (1:2500)



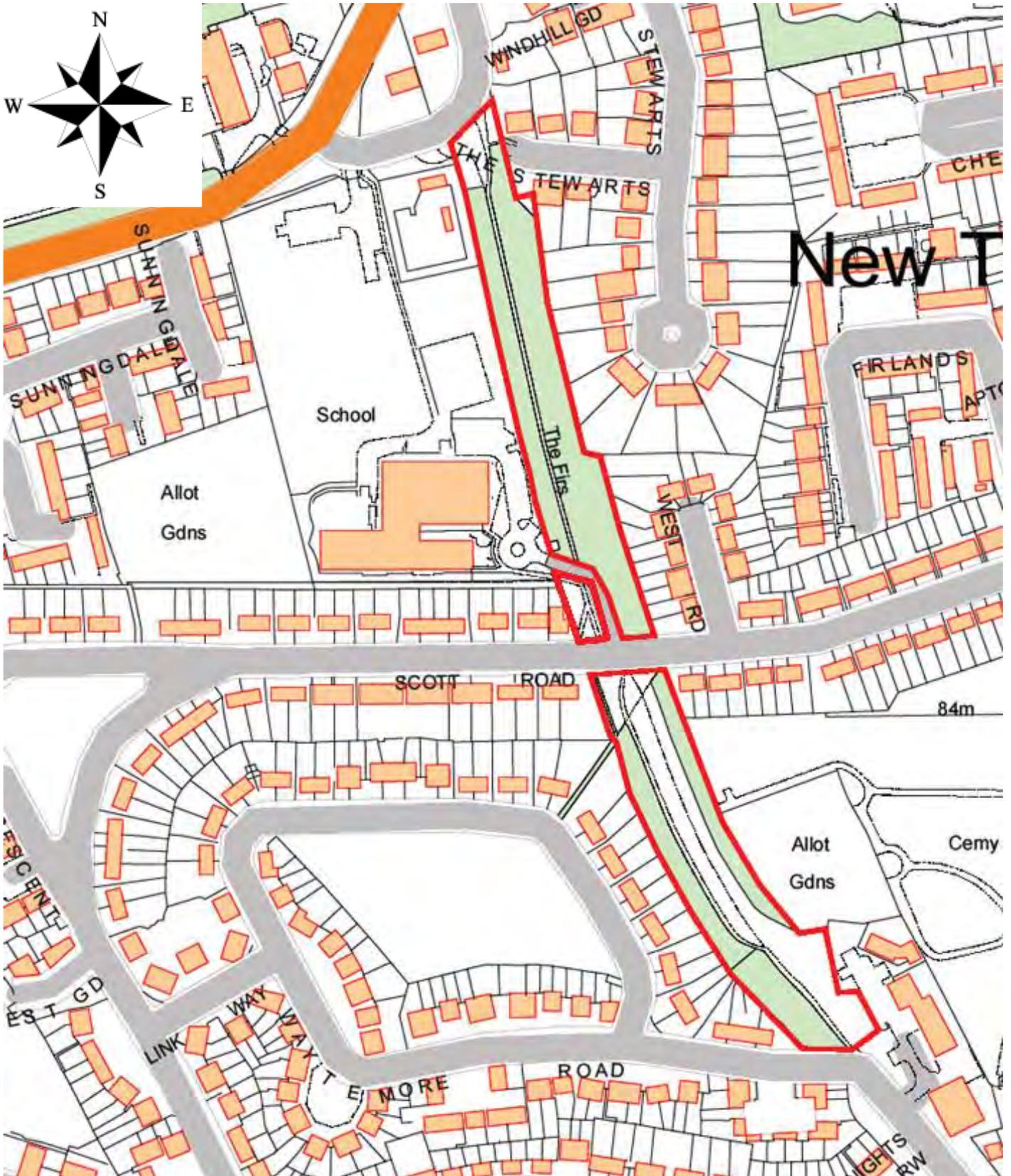
6.4 POLICY MAPS FOR POLICY GIP2(A)

**6.4.1 Birchanger Wood (1:2500)**

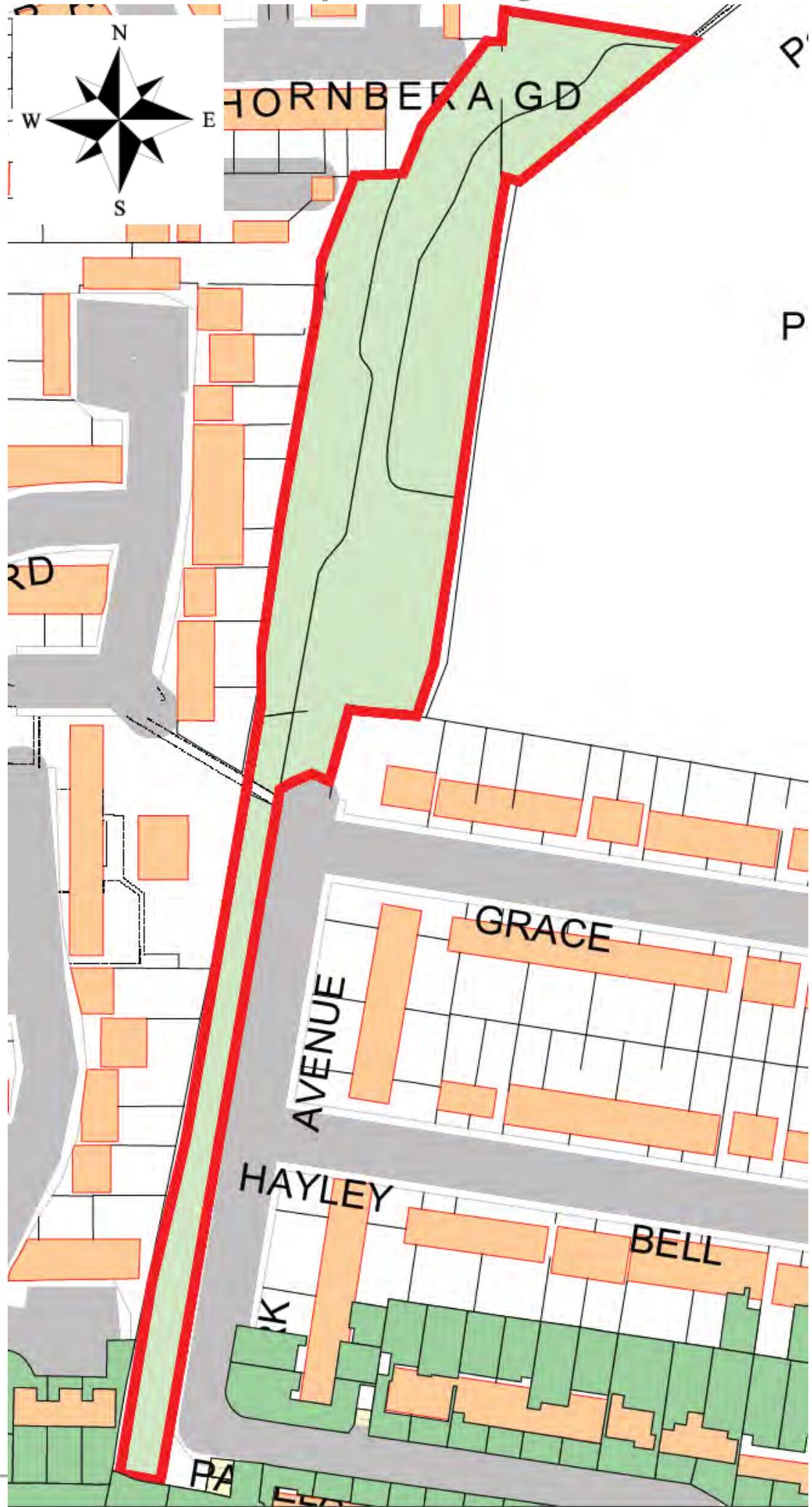
6.4.1.1 Note: only that part of Birchanger Wood lying within the Neighbourhood area is shown



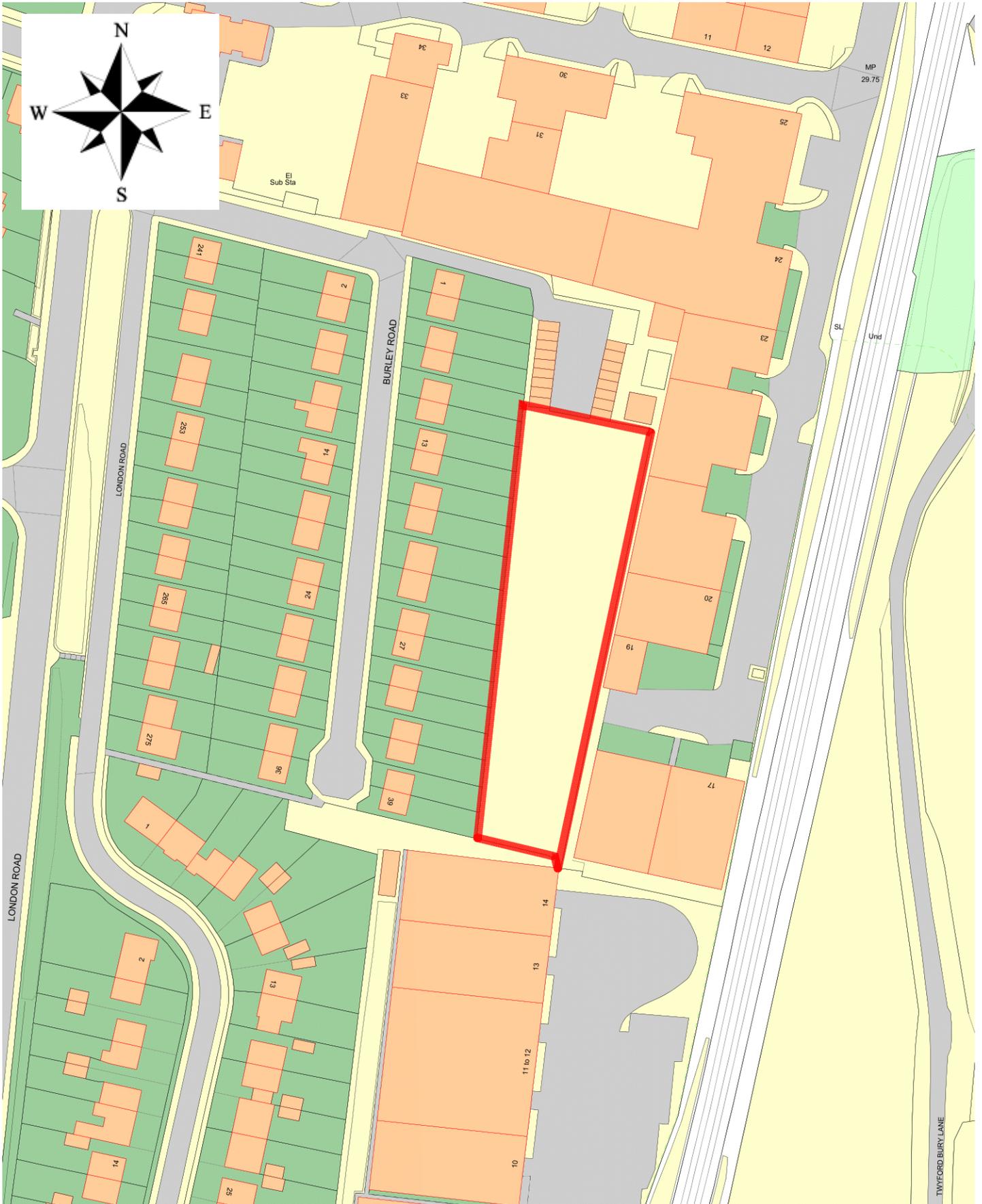
**6.4.2 The Firs (1:2500)**



6.4.3 The Spinney (1:1250)



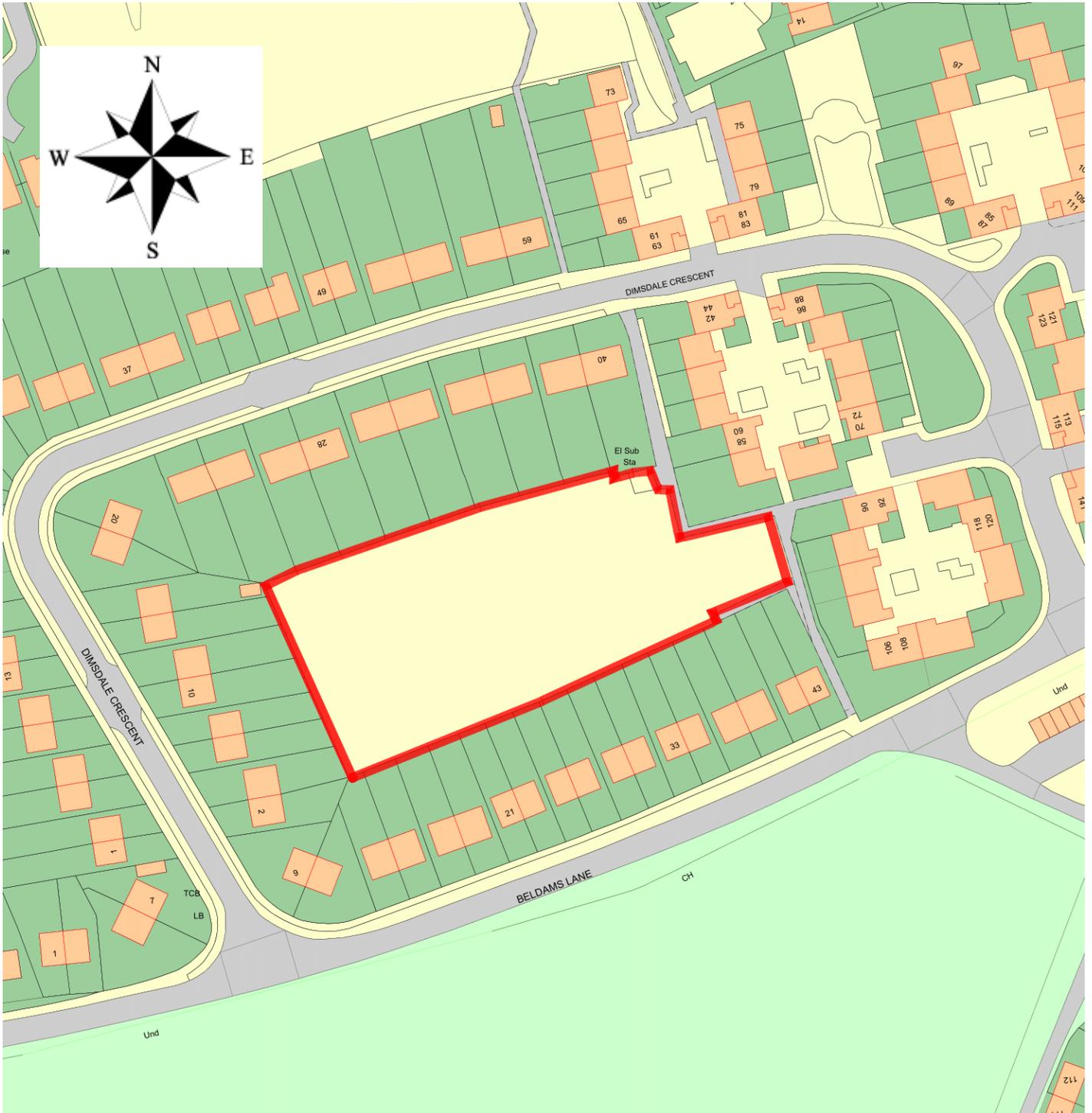
6.4.4 Burley Road Play Area (1:1250)



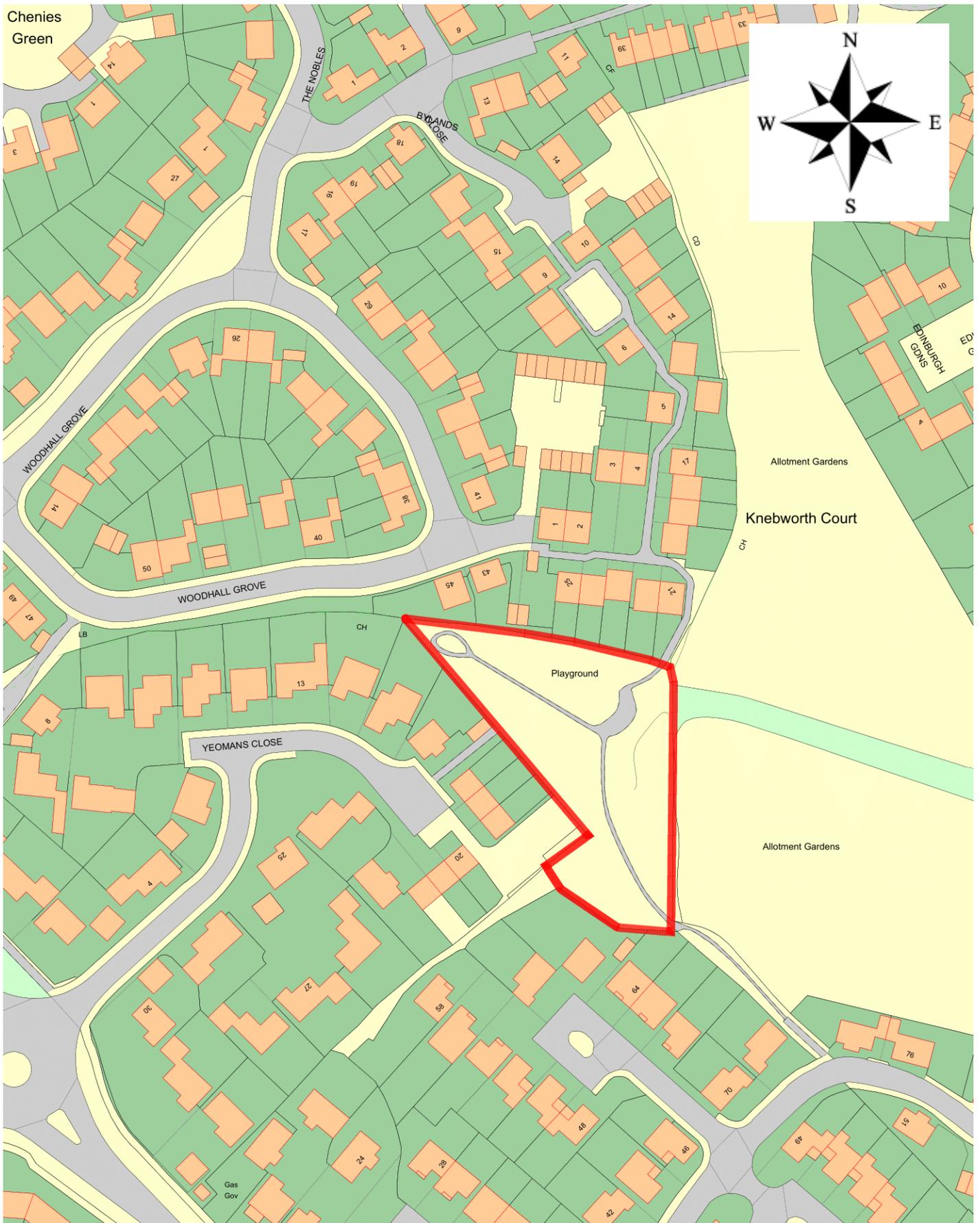
**6.4.5 The Baron's Play Area (1:1250)**



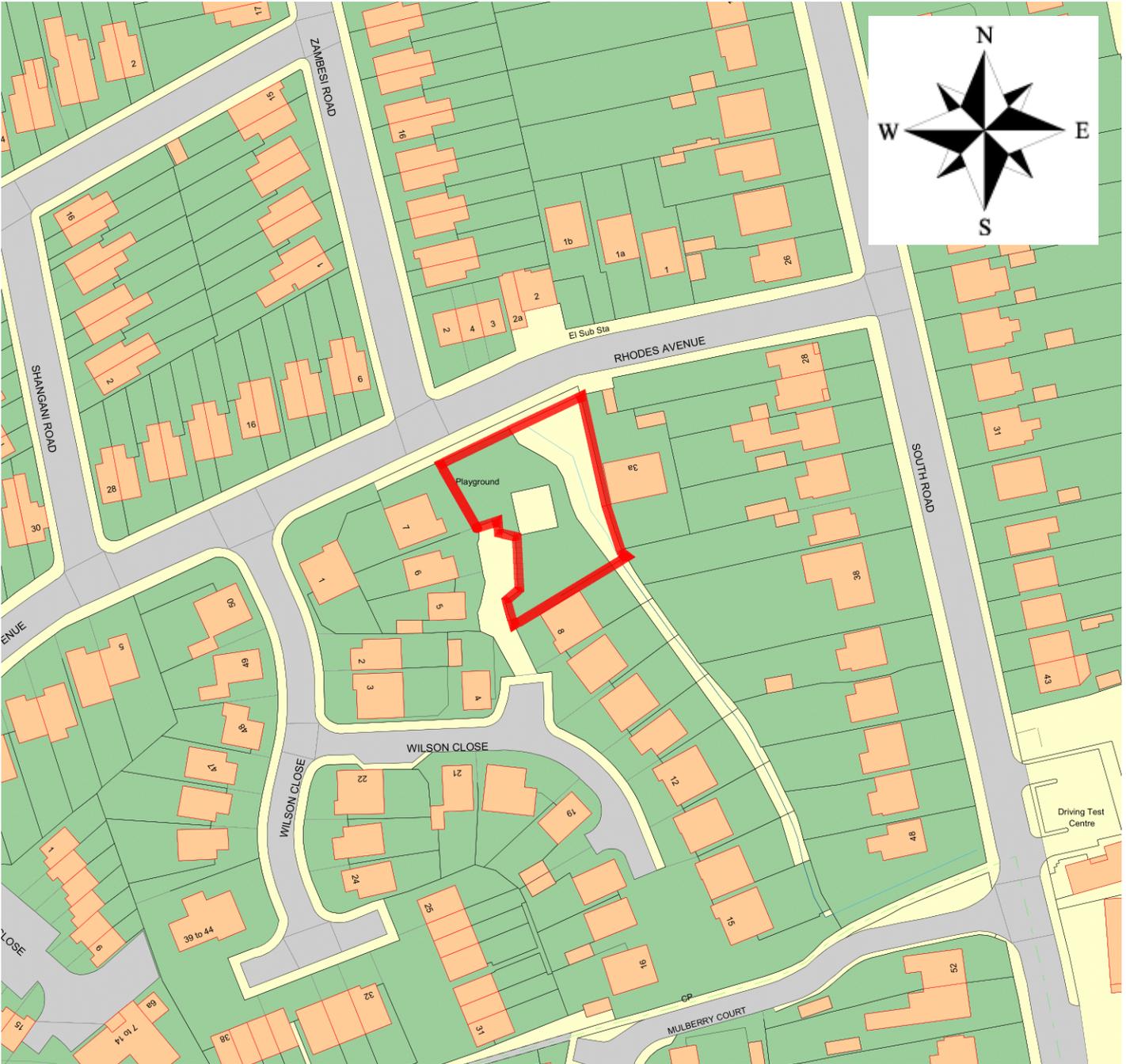
6.4.6 Dimsdale Crescent Play Area (1:1250)



**6.4.7 Knebworth Court Play Area (1:1250)**



6.4.8 Wilson Close Play Area (Rhodes Avenue) (1:1250)



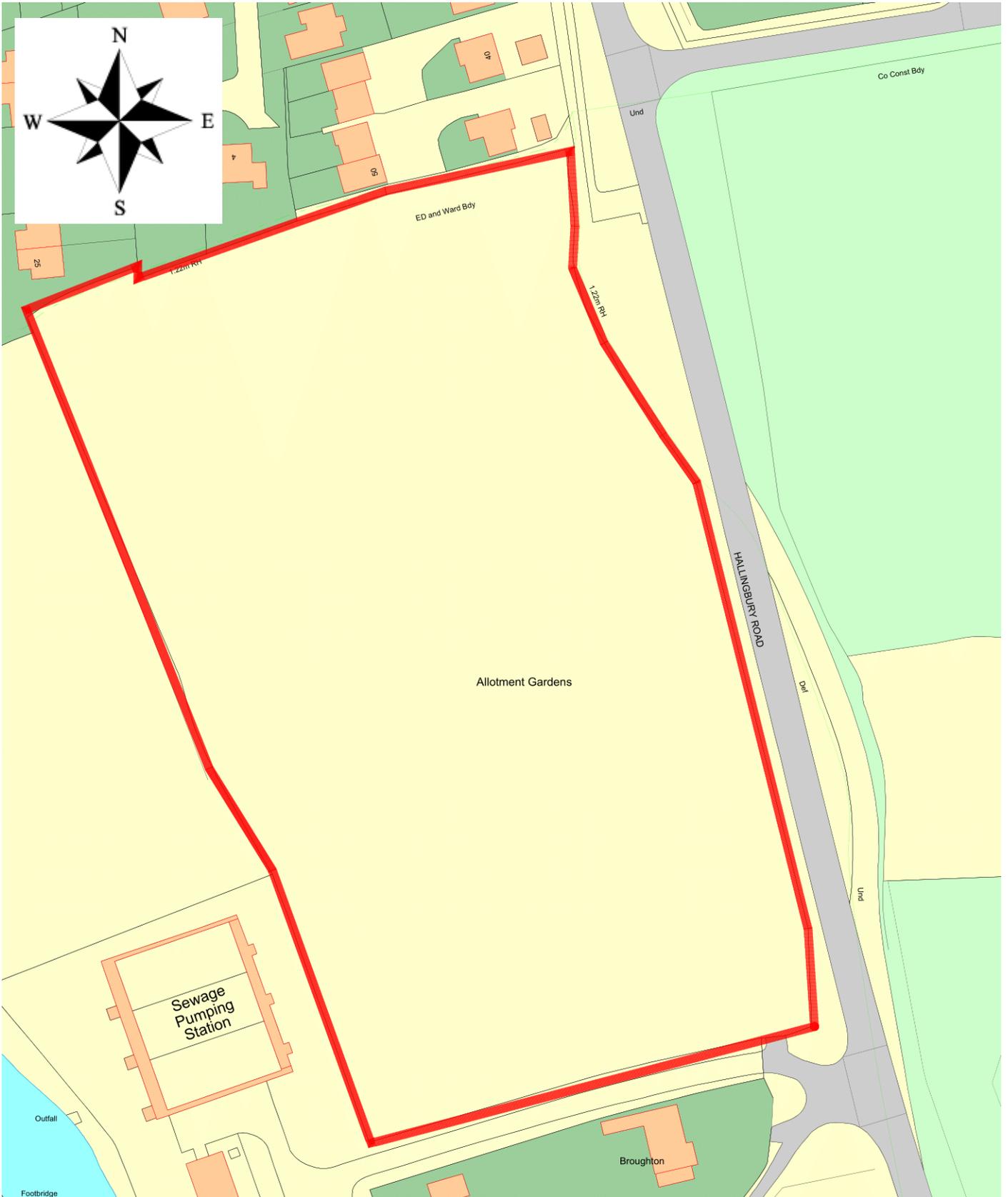
**6.4.9 Nightingales' Play Area (1:1250)**



6.4.10 Ward Crescent Allotments (1:1250)



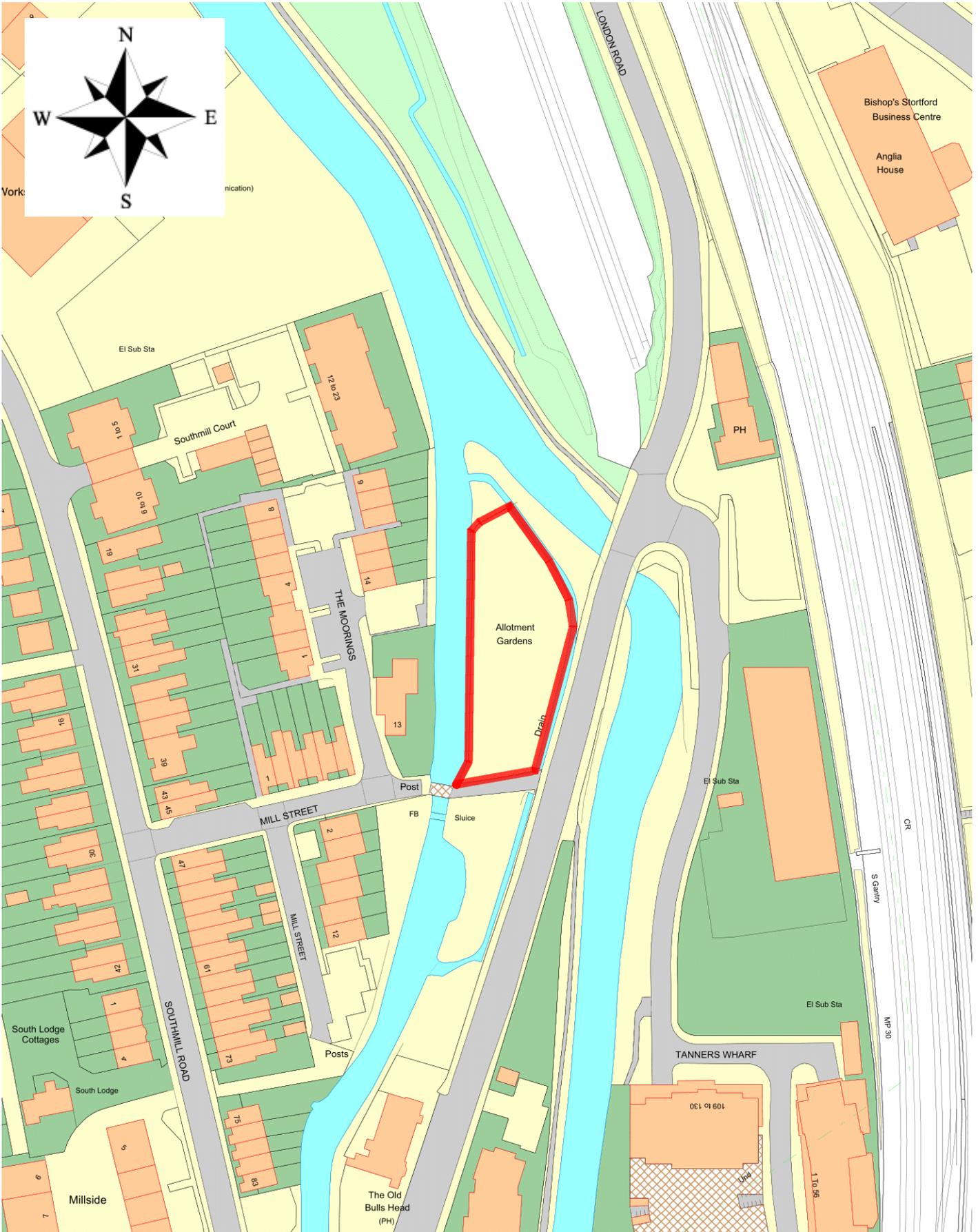
**6.4.11 Hallingbury Road West Allotments (1:1250)**



6.4.12 Haymeads Lane Allotments (1:1250)



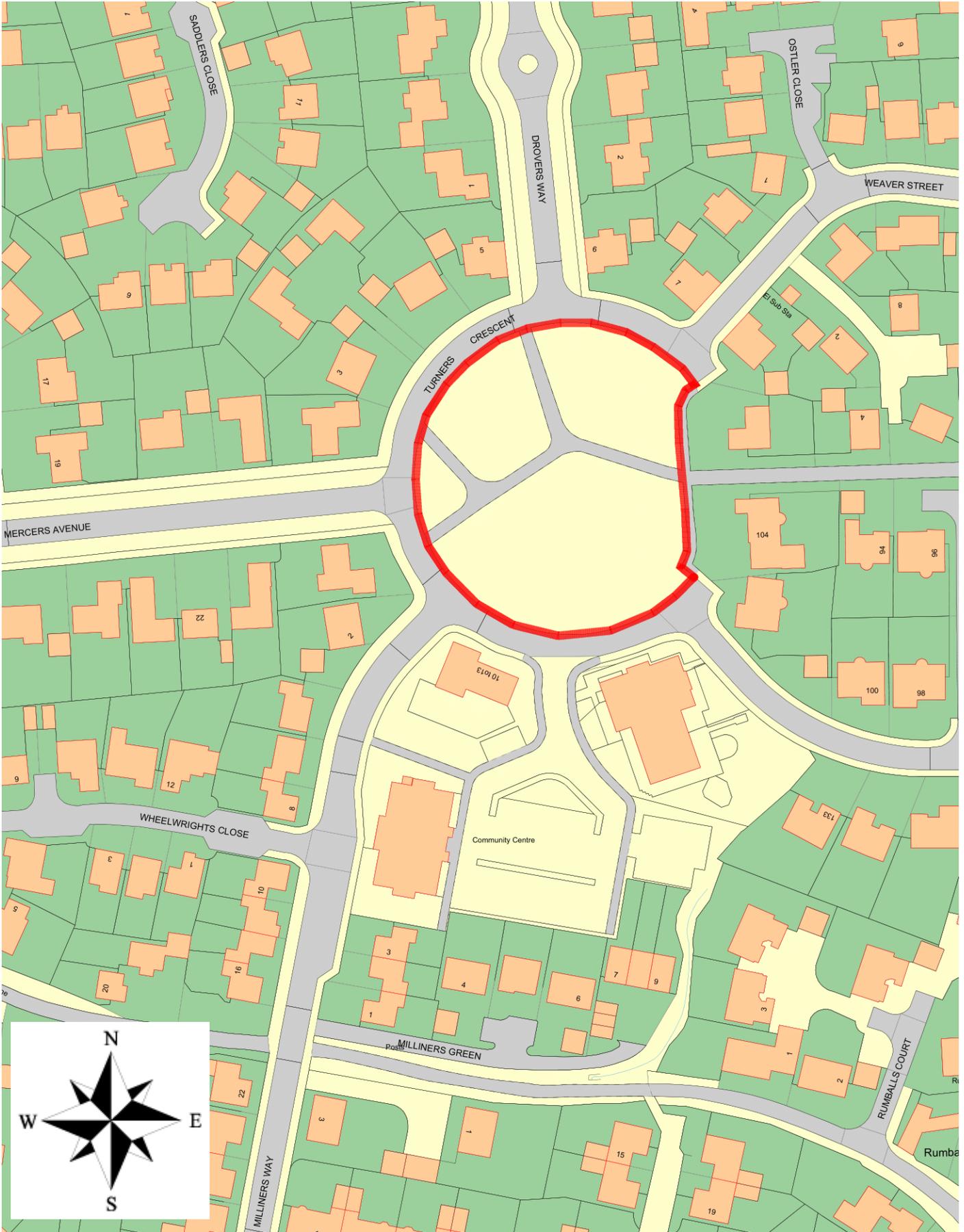
**6.4.13 London Road Allotments (1:1250)**



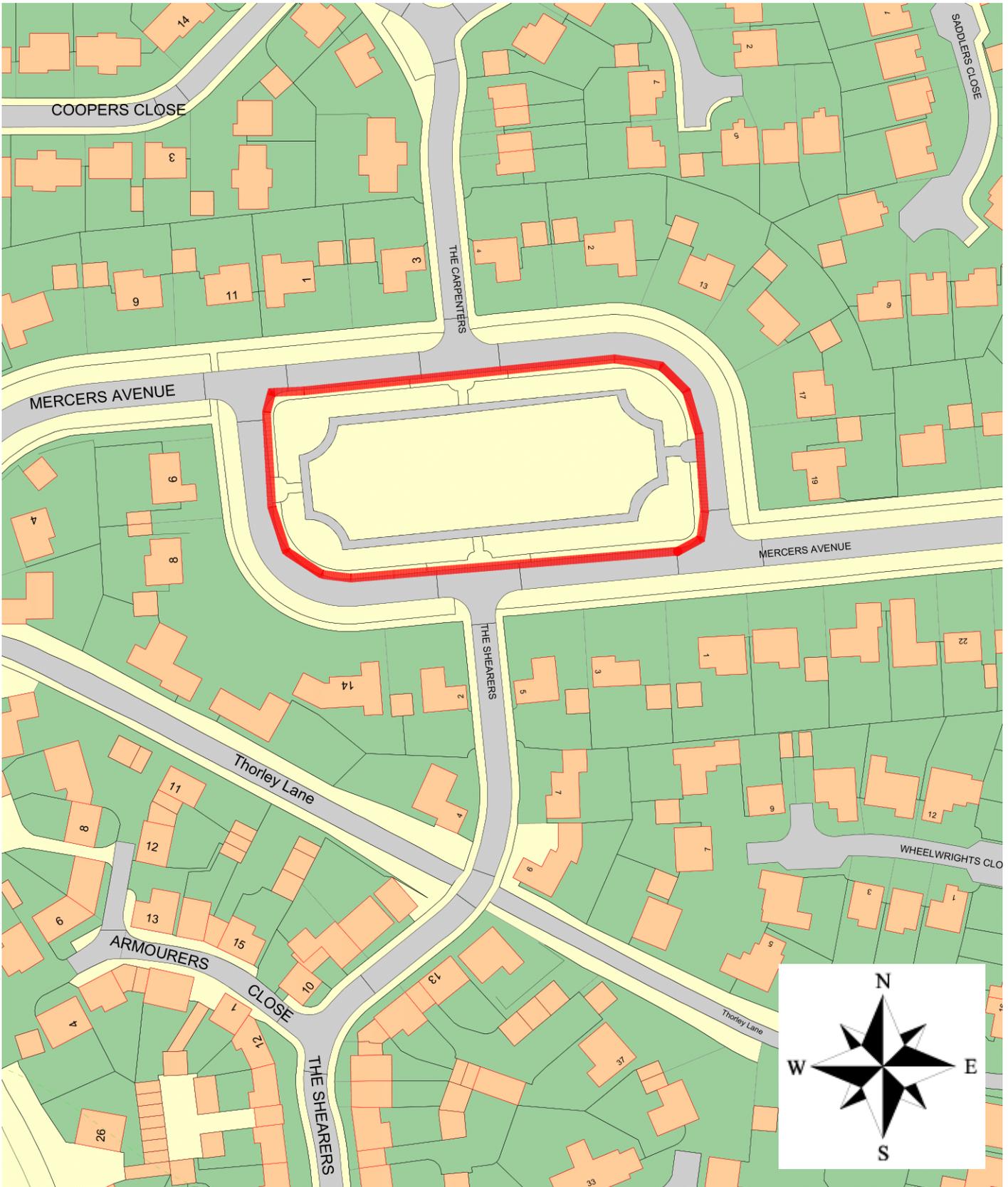
6.4.14 Thorley Street Allotments (1:1250)



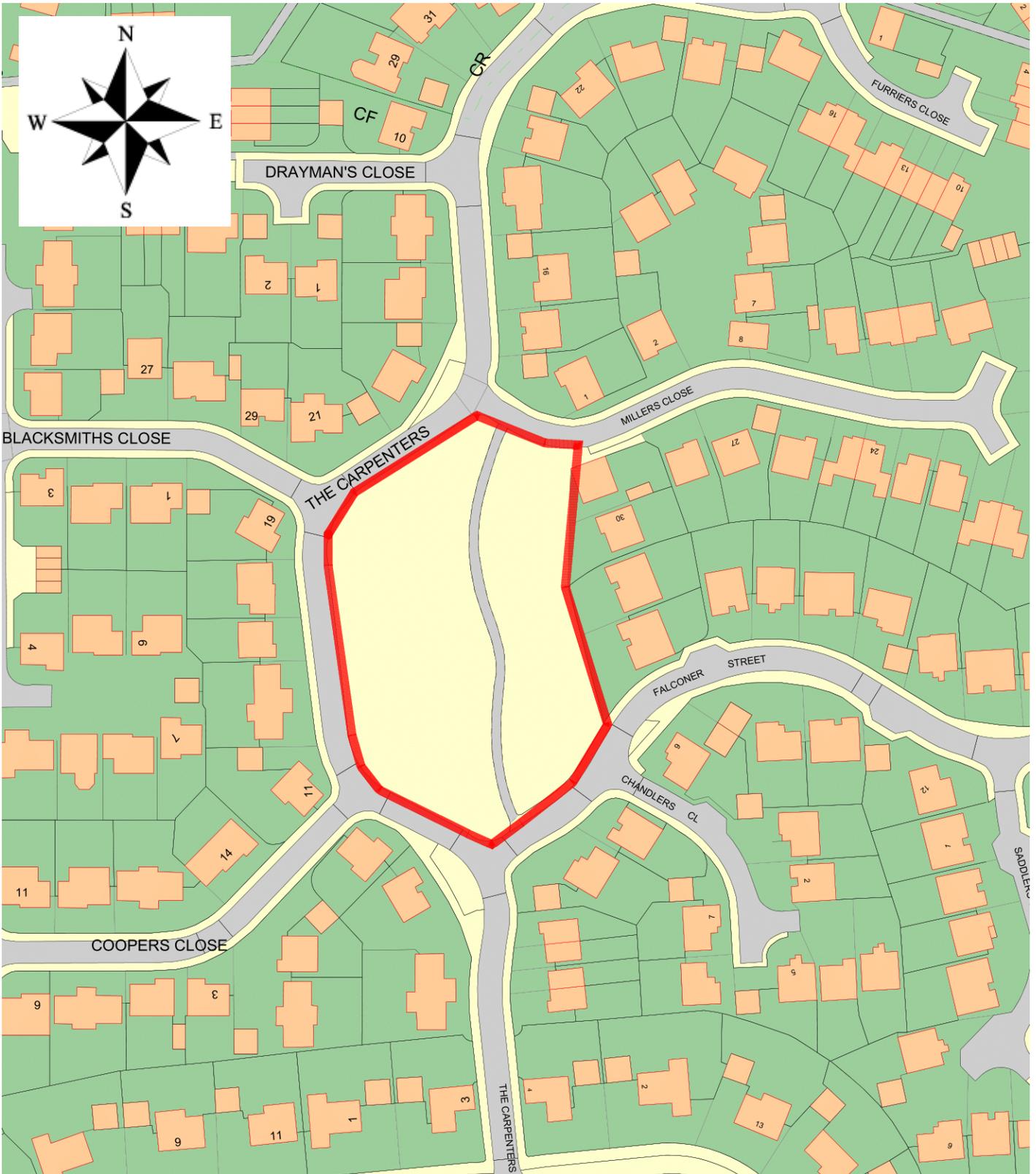
**6.4.15 Central Green at Turners' Crescent, St Michael's Mead, Thorley  
(1:1250)**



6.4.16 Landscaped Garden at Mercers Avenue, St Michael's Mead, Thorley (1:1250)



**6.4.17 Landscaped Green Space at The Carpenters, St Michael's Mead, Thorley (1:1250)**



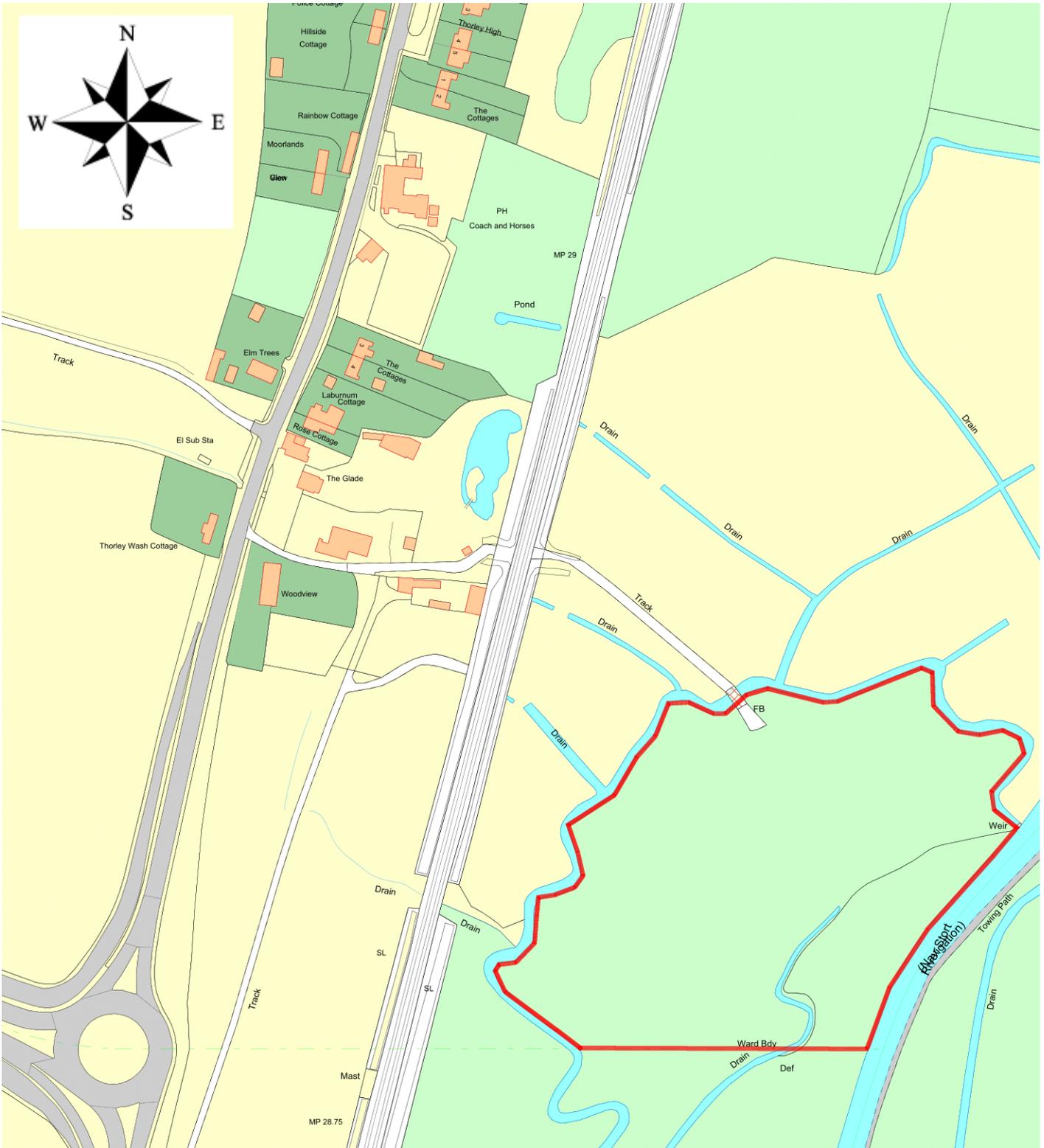
6.4.18.1

**6.4.18 Landscaped Garden on Millner's Way, St Michael's Mead, Thorley (1:1250)**

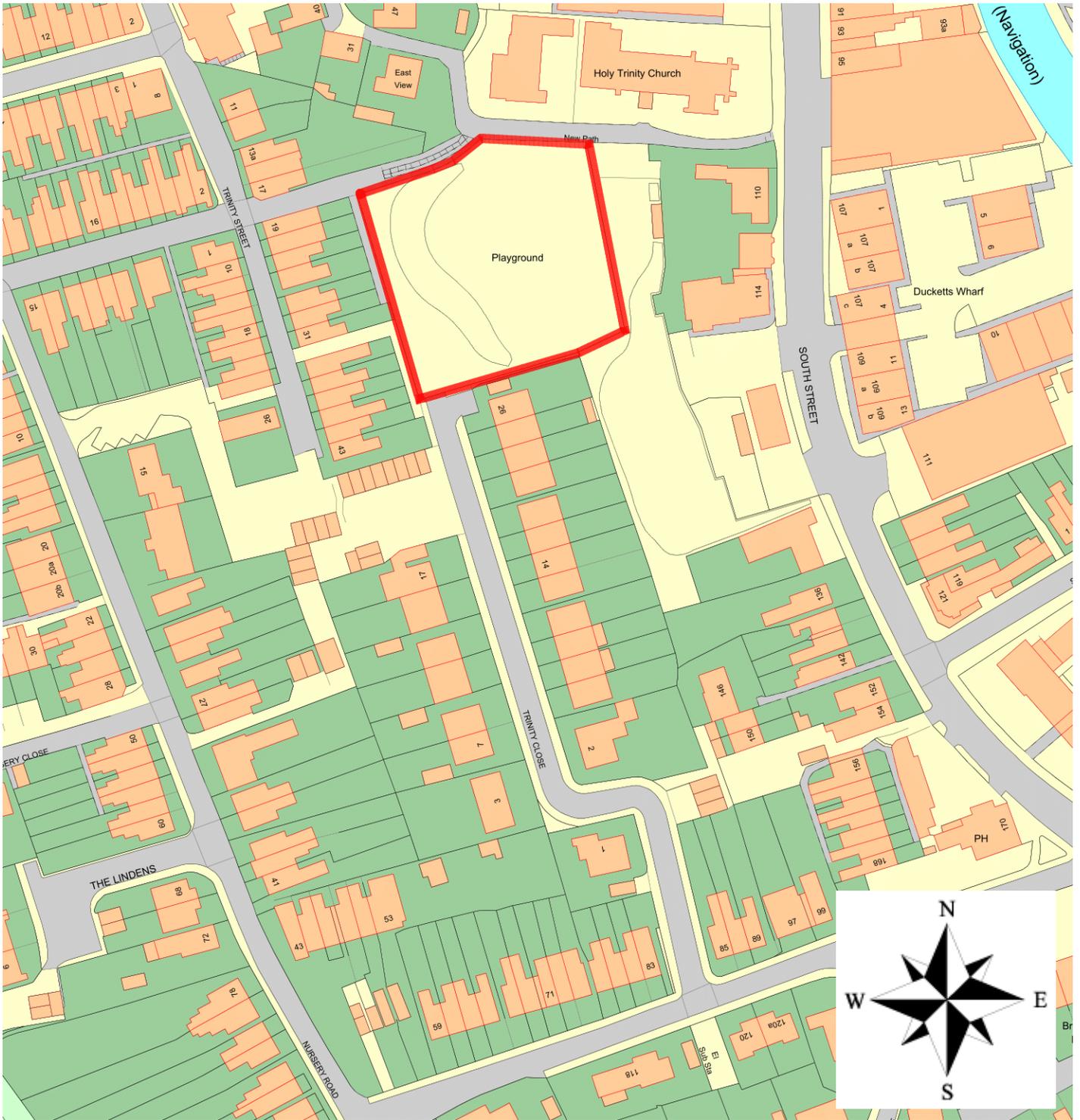


**6.4.19 Thorley Wash Nature Reserve (1:2500)**

6.4.20.1 Note: only that part of Thorley Wash Nature Reserve lying within the Neighbourhood Area is shown



6.4.20 Trinity Close Play Area (1:1250)



**6.4.21 Parsonage Field (1:1250)**



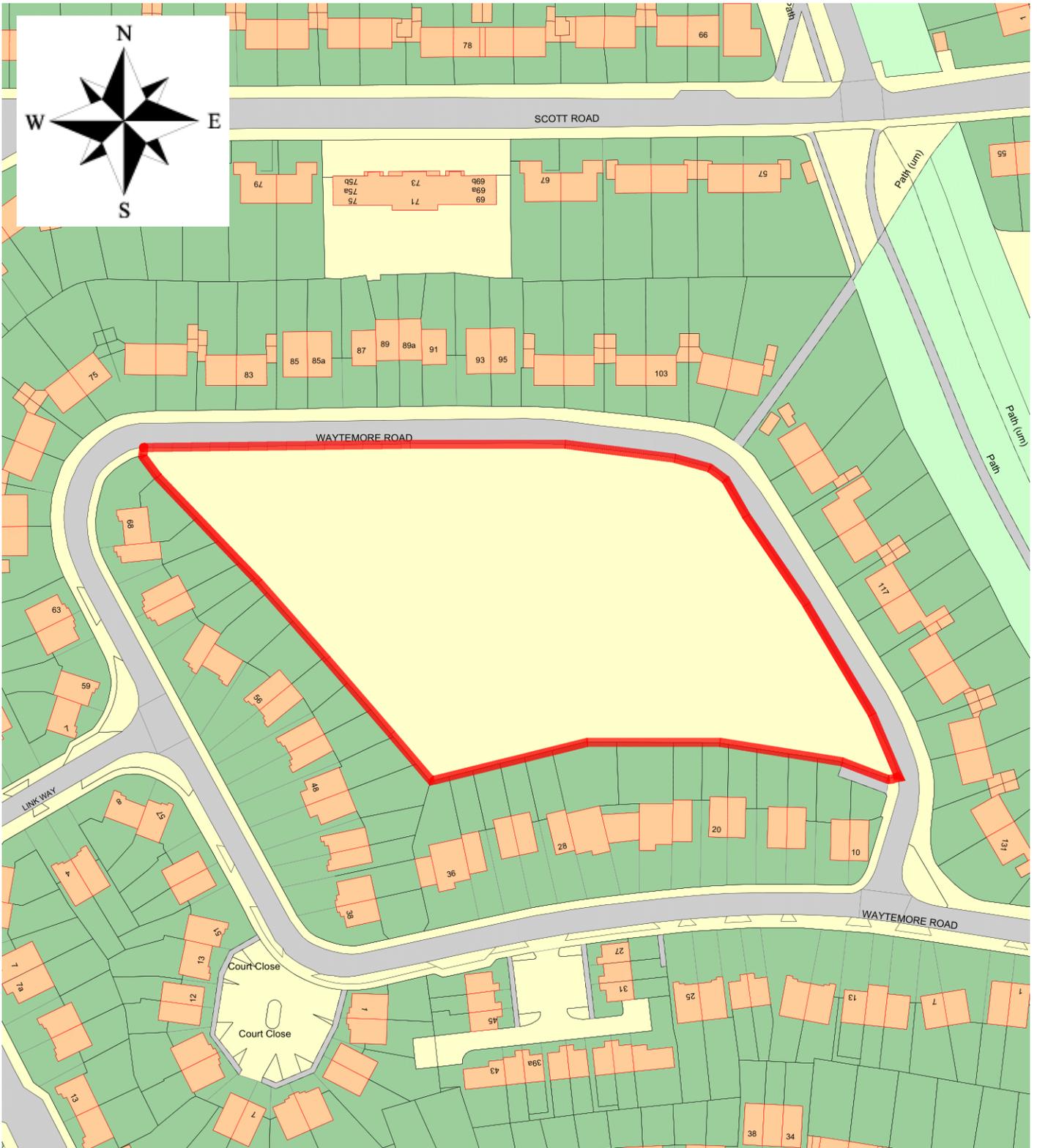
6.4.22 Thorley Cricket Ground (1:1250)



**6.4.23 Ward Crescent Green and Play Area (1:1250)**

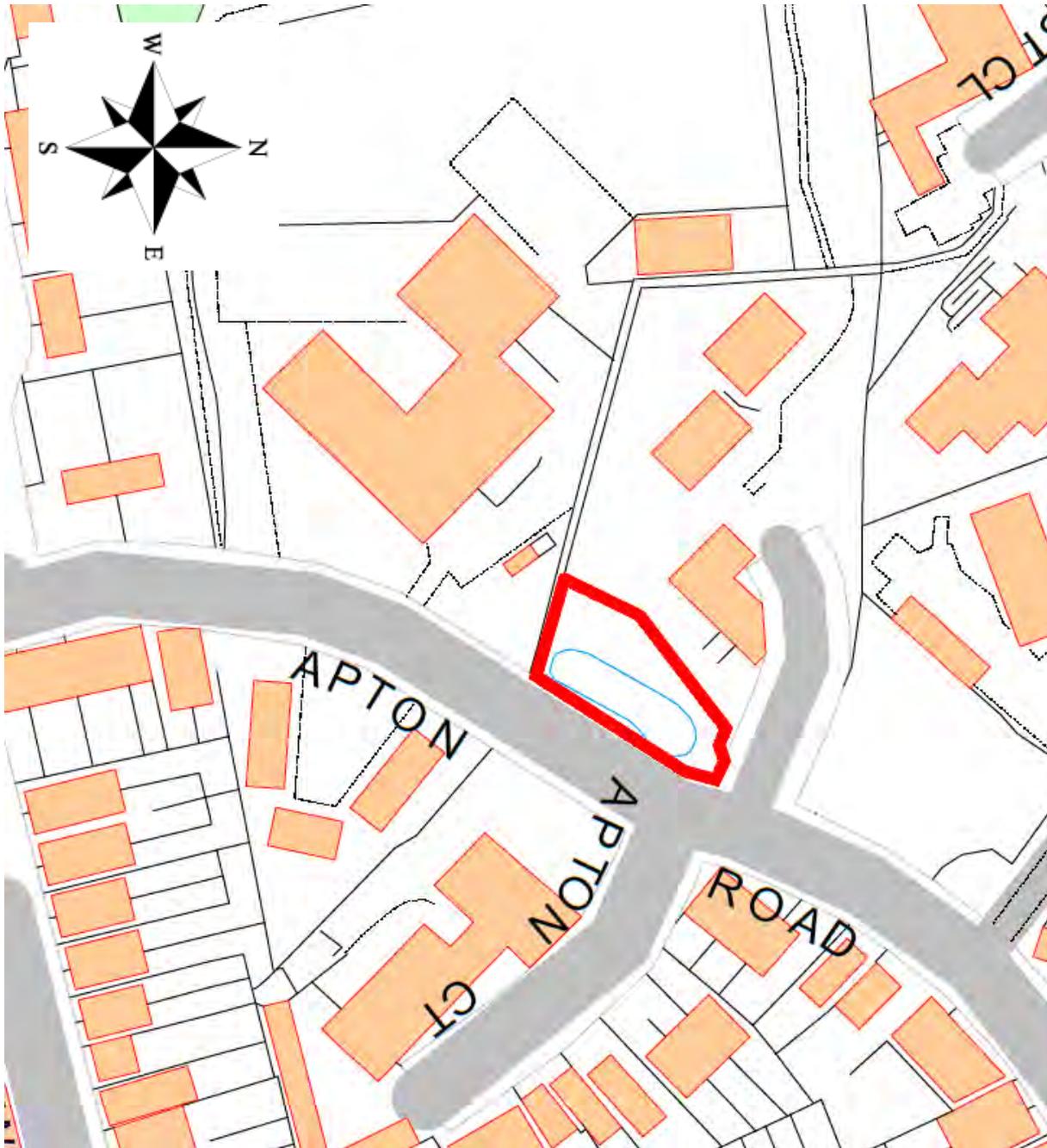


6.4.24 Waytemore Road Green and Play Area (1:1250)

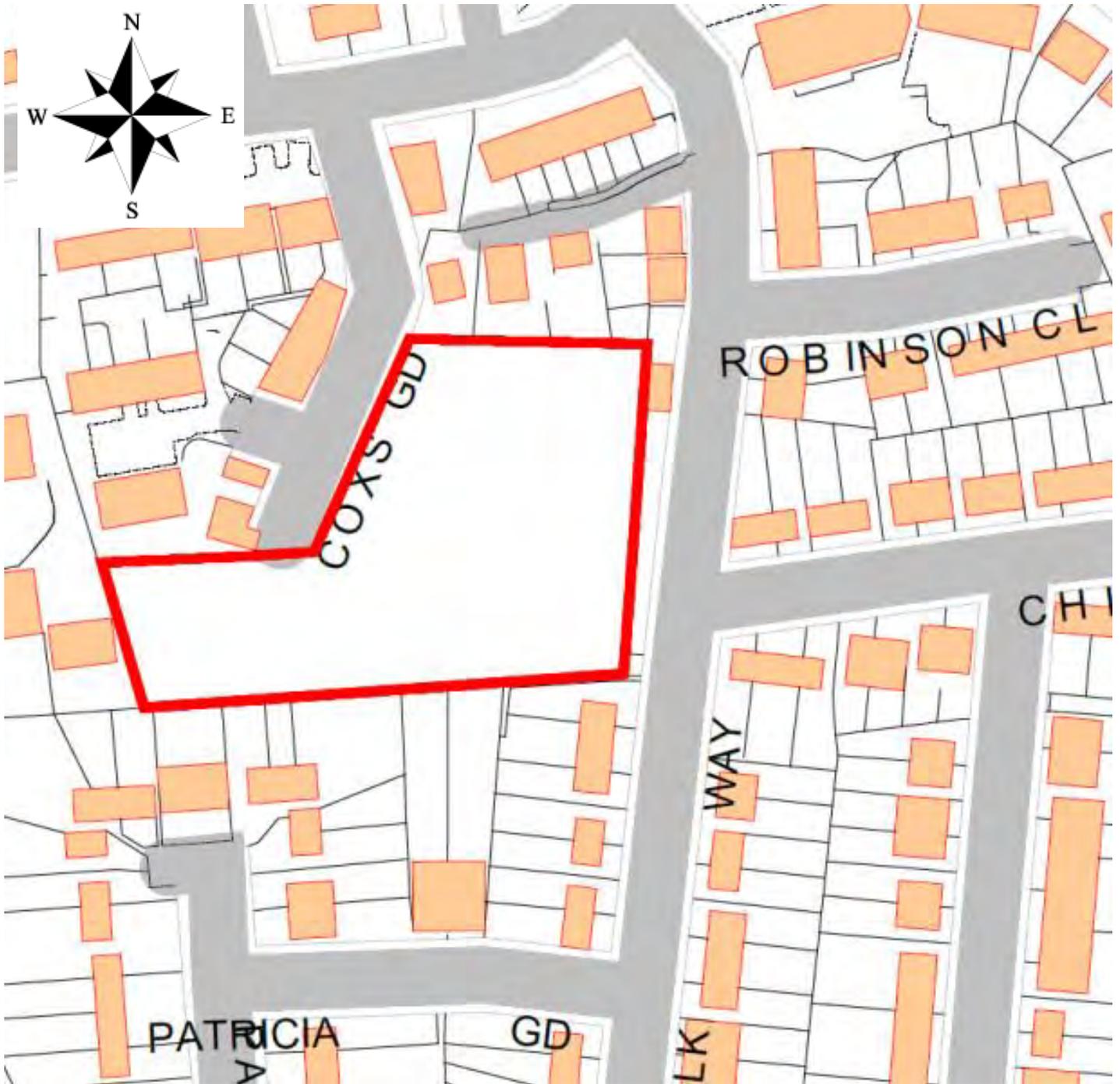


6.5 POLICY MAPS FOR POLICY GIP2(C)

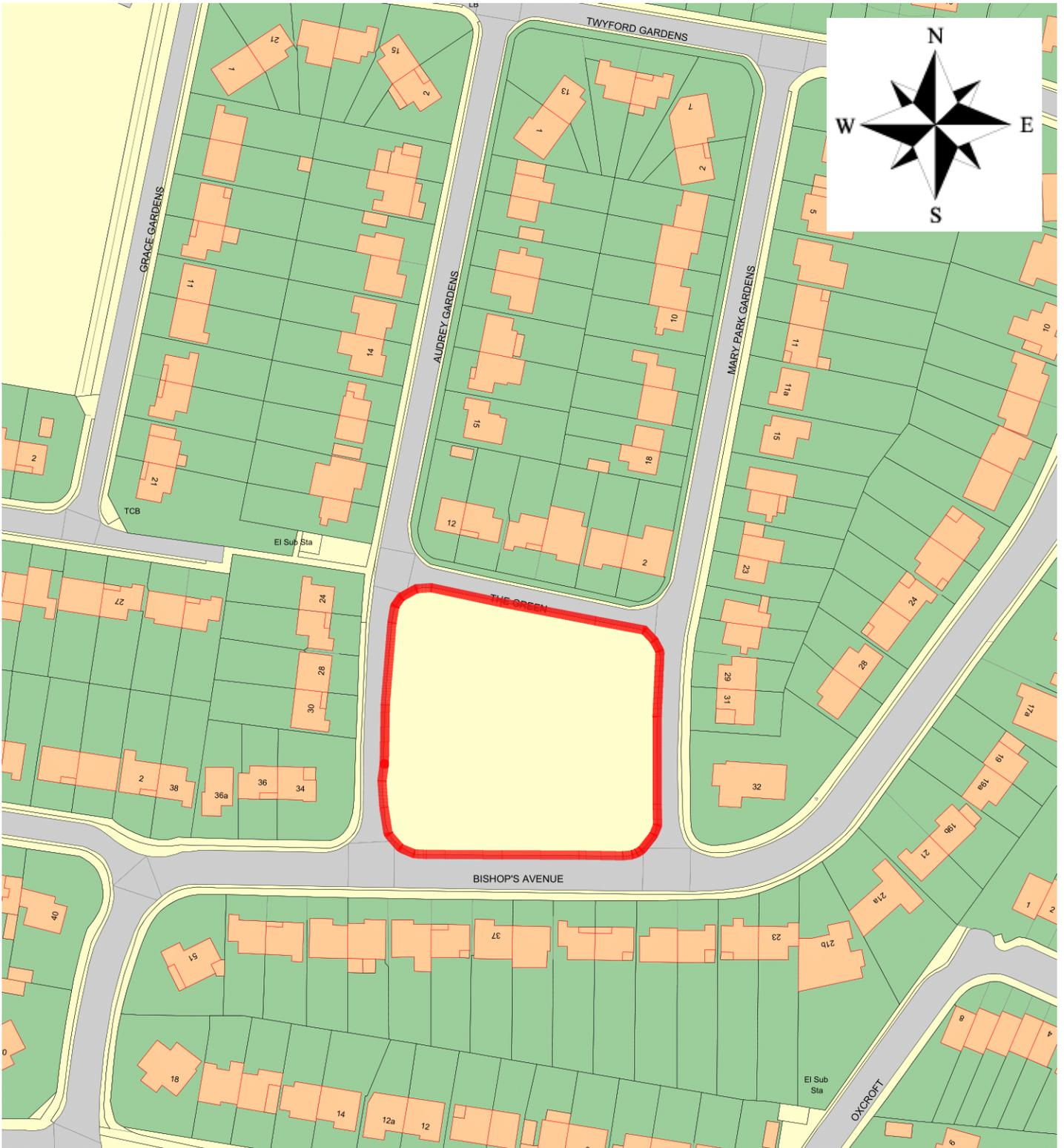
**6.5.1 Apton Road Pond (1:1250)**



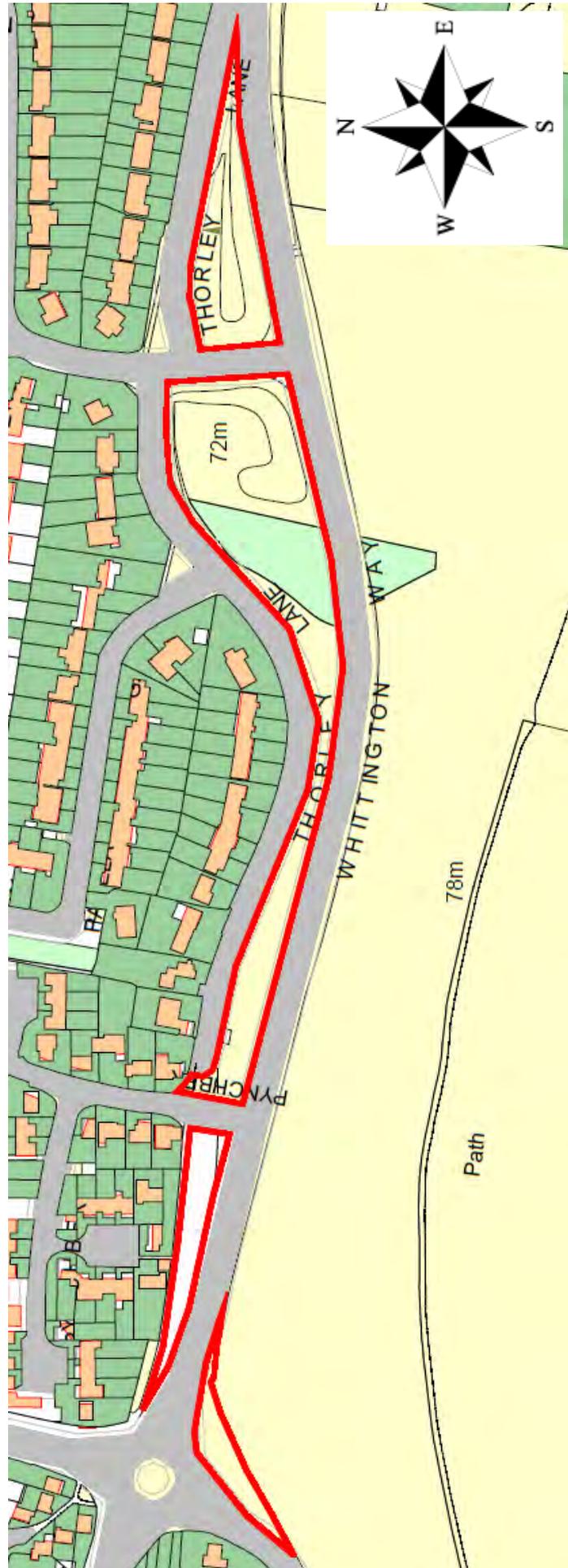
**6.5.2 Cox's Garden on Havers Estate (1:1250)**



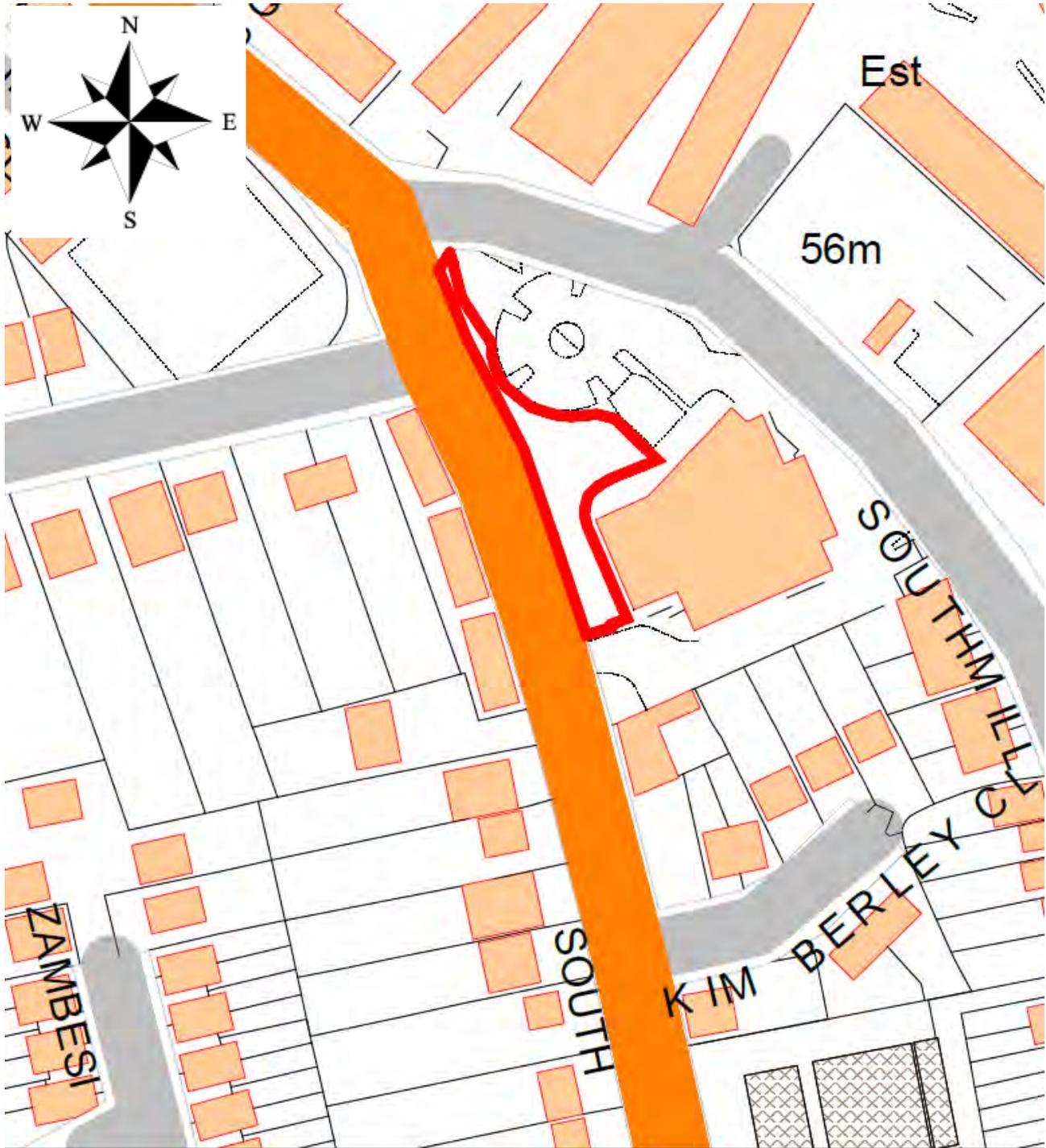
**6.5.3 The Green: a square bounded by Audrey Gardens, Mary Park Gardens and Bishops Avenue (1:1250)**



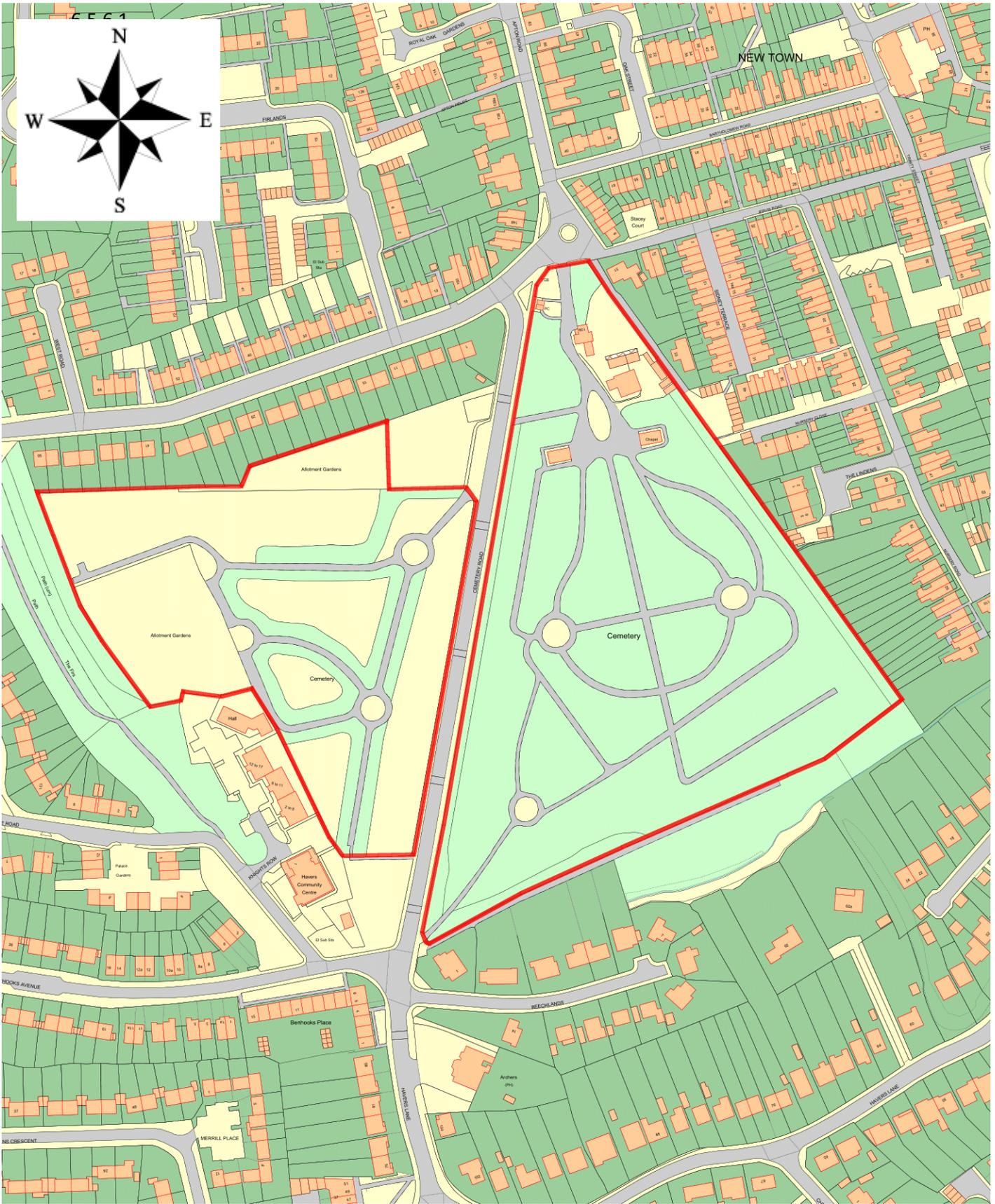
**6.5.4 Thorley Lane Verge  
(1:2500)**



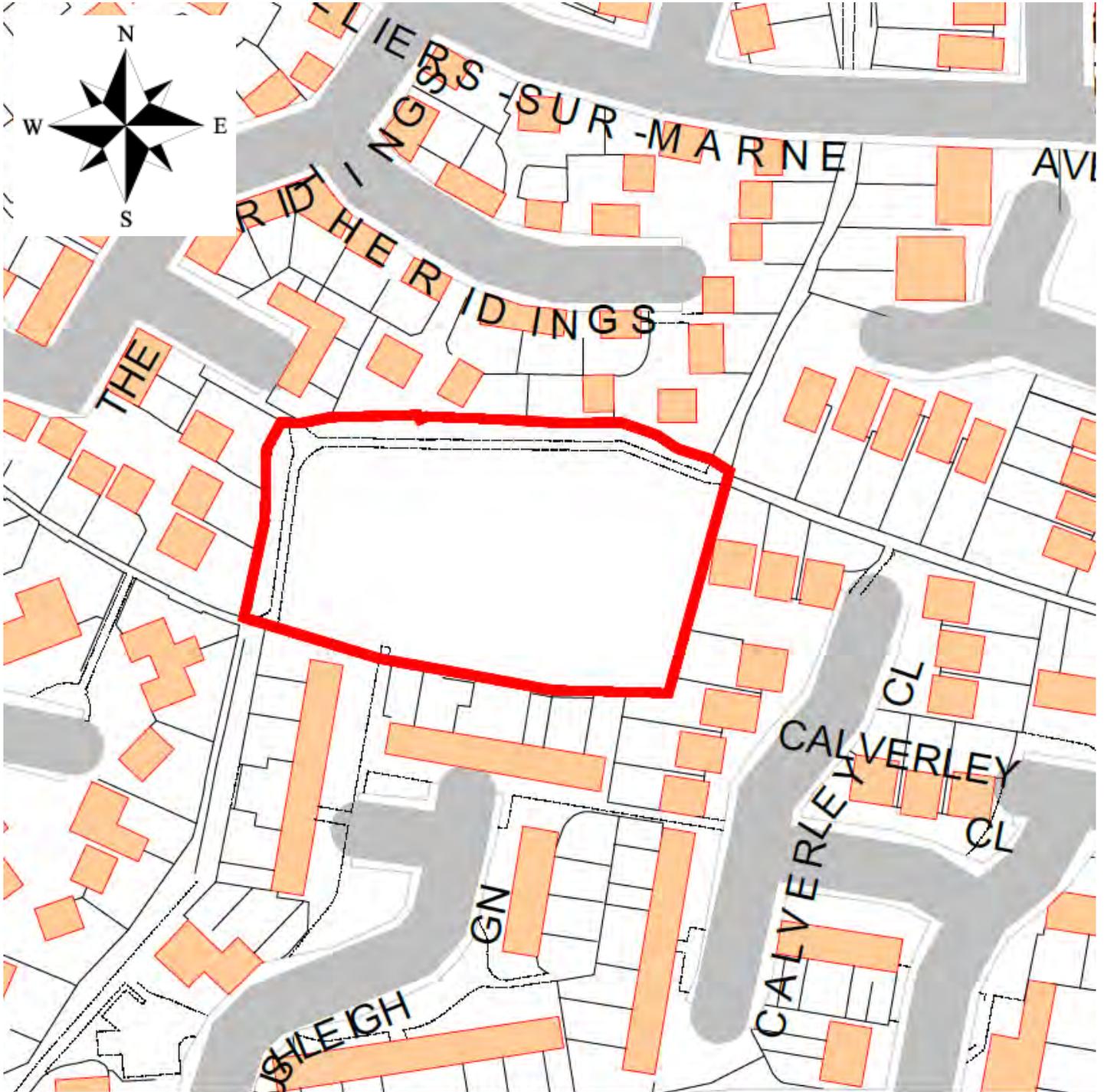
6.5.5 Nettleswell Gardens at Rhodes Centre (1:1250)



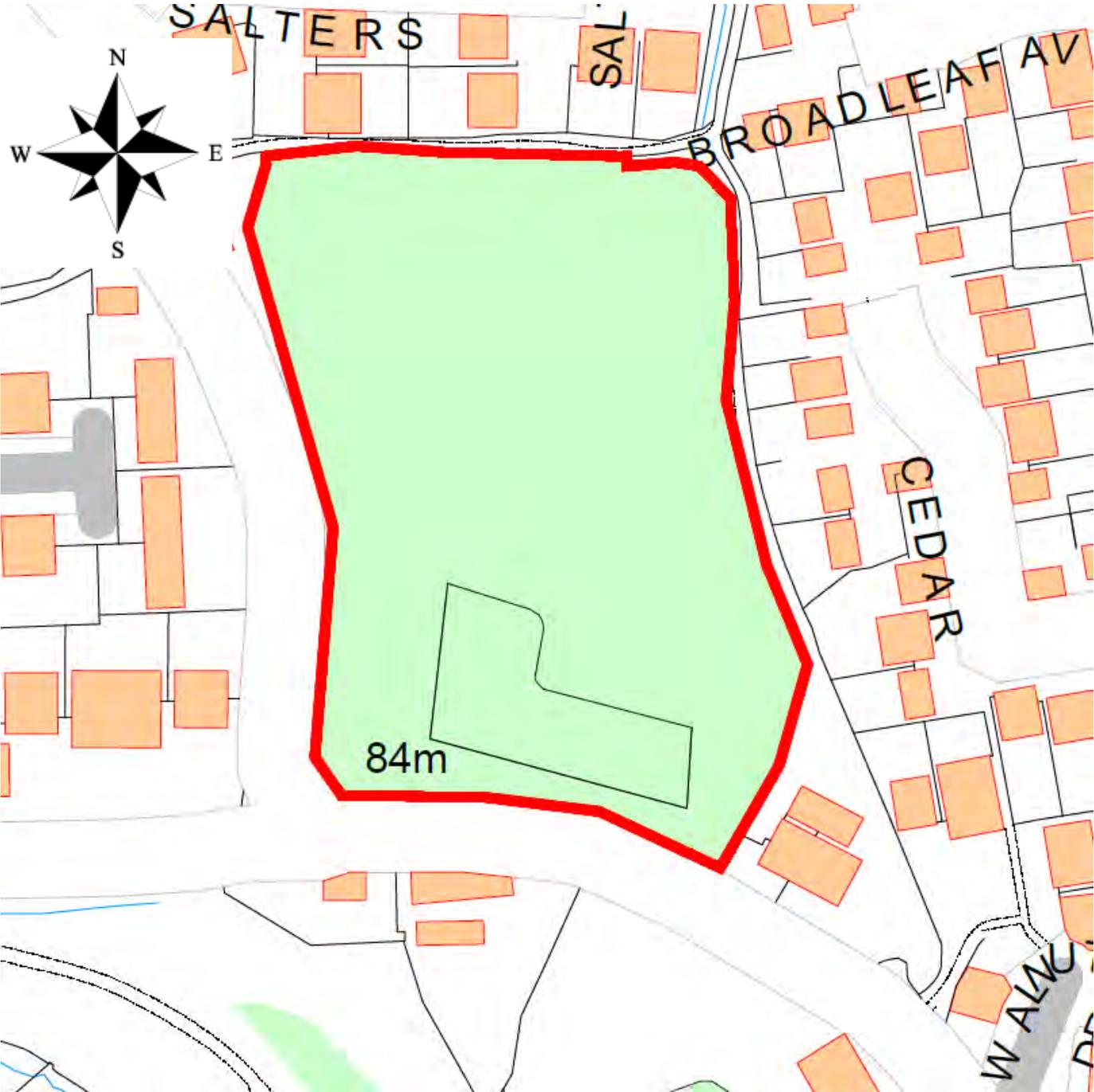
**6.5.6 Old Cemetery and New Cemetery (1:2500)**



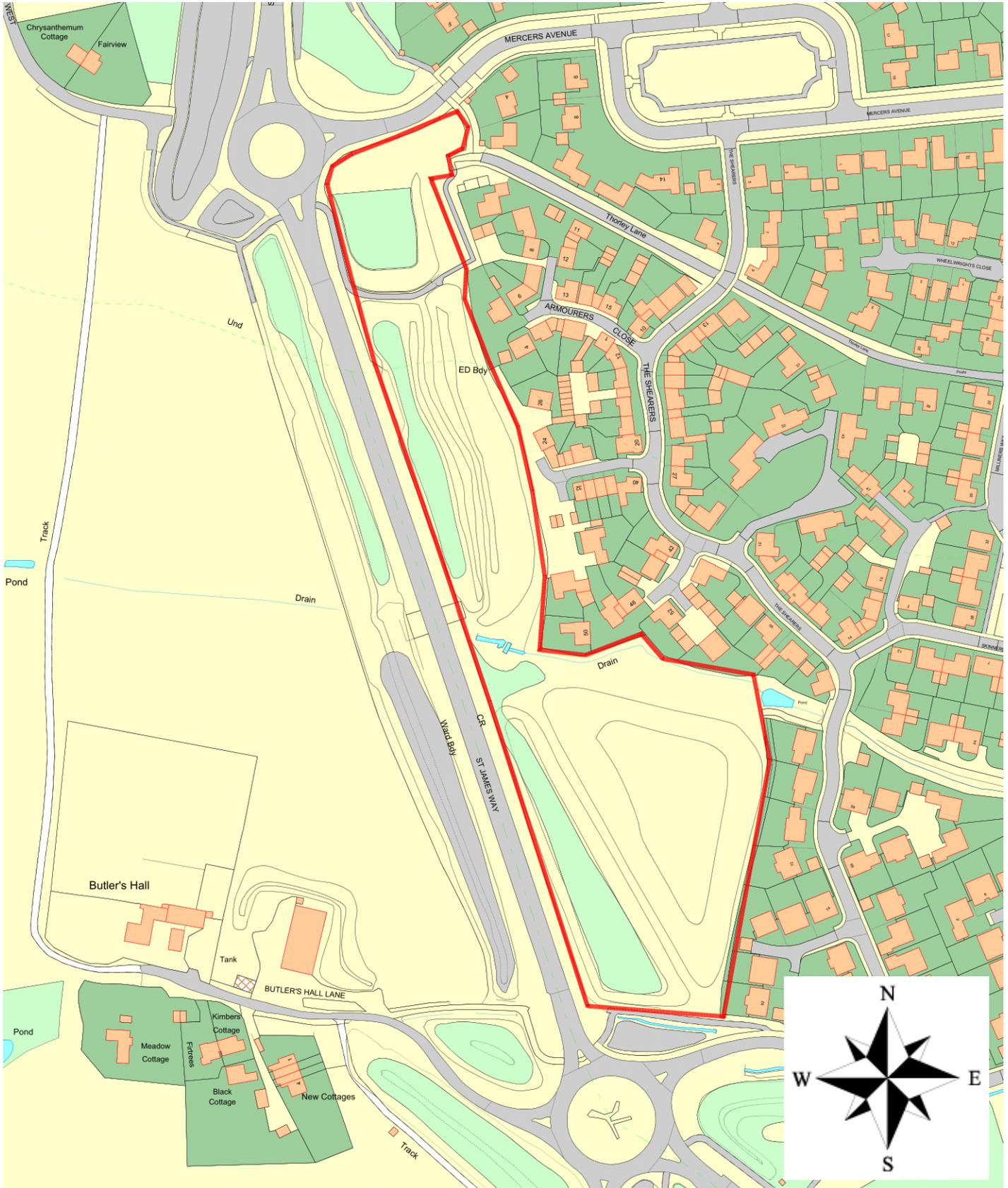
6.5.7 Area adjacent to Rushleigh Green and the Ridings (1:1250)



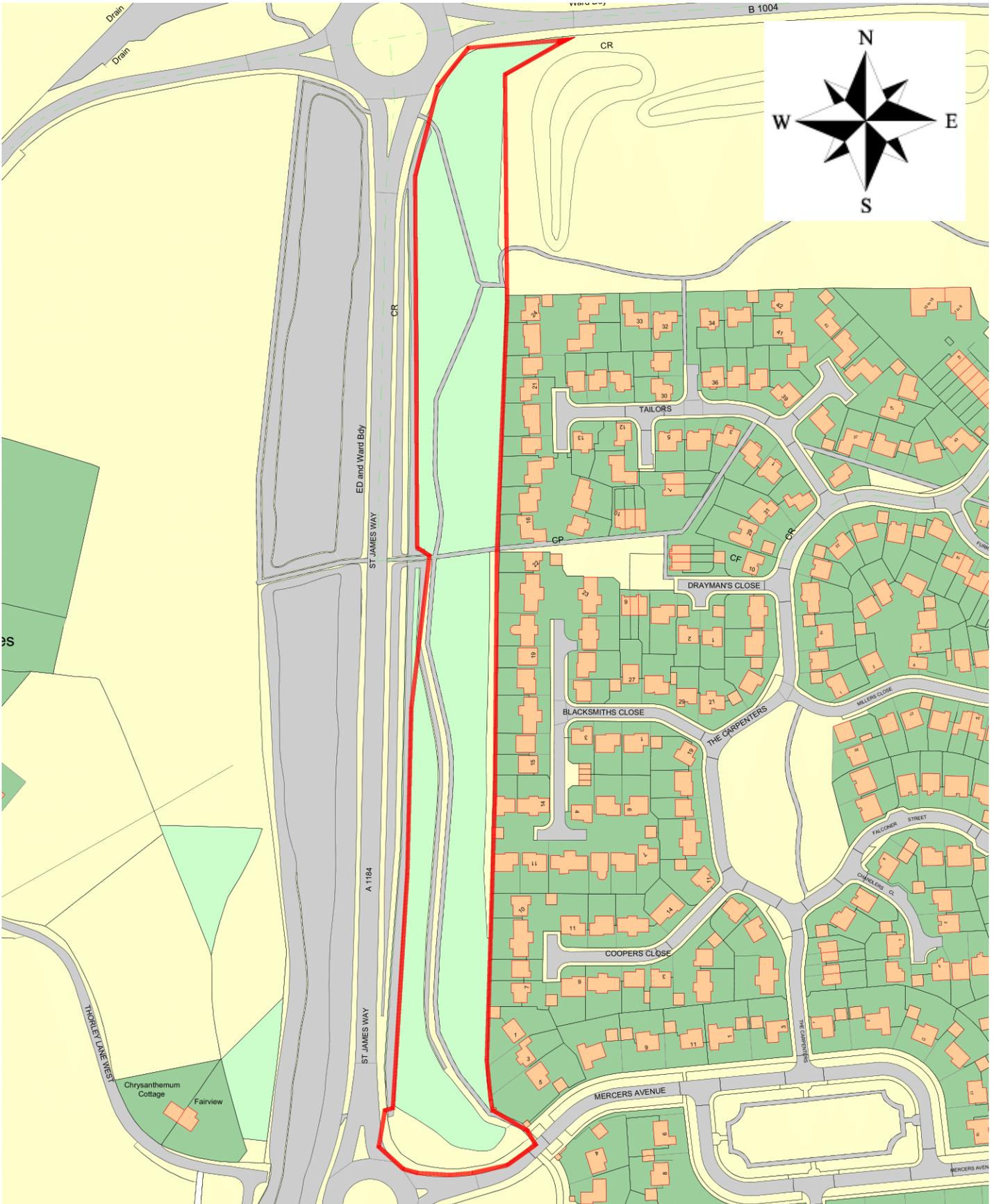
**6.5.8 Established mature woodland between Thorley Lane East and Broadleaf Avenue (1:1250)**



**6.5.9 Boundary Strip to St Michael's Mead bounded by A1184 (St. James' Way), Mercer's Avenue, Moor Hall Lane and rear of Housing on The Shearers (1:2500)**



**6.5.10 Boundary Strip to St Michael's Mead bounded by A1184 (St James' Way), B1004, Mercer's Avenue and rear of housing on Blacksmith's Close and Tailors (1:2500)**



**6.5.11 Area of Woodland at Entrance to St Michael's Mead on Moor Hall Lane (1:1250)**



**6.5.12 Green Space at end of Alder Close (1:1250)**



**6.5.13 Green Space near corner of Sainsbury's, Thorley between 66A Ashdale and 29 Irving Close (1:1250)**



## 6.6 TABLE OF AREAS, CHARACTER AND SPECIAL VALUE (GREEN INFRASTRUCTURE)

### Abbreviations:

EH DP 2018	=	East Herts District Plan 2018
EH OSA 2017	=	East Herts Open Spaces Assessment October 2017
EH SFRA 2016	=	East Herts Strategic Flood Risk Assessment 2016
BSNP1 2014	=	Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014-2031
BSNP2 2016	=	Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2016-2032
LGS	=	Local Green Space
LAP	=	Local Area for Play (designed for children up to 6 years)
LEAP	=	Local Equipped Area for Play (caters for younger children beginning to play independently)
NEAP	=	Neighbourhood Equipped Area for Play (caters predominantly for more independent older children)

<p>Birchanger Wood (7.01 hectares)</p>	<p>Ancient wood believed to be remnant of 'wildwood' never cleared for agriculture, rich in wildlife with 126 species of trees, flowers and grasses identified. Now owned by charitable trust, Birchanger Wood Trust 2018, to conserve, protect and improve the wood. Managed in part by volunteers and used for community projects including education. In green belt as adopted in EH DP 2018. Identified as Natural and Semi-Natural Green Space in EH OSA 2017: an important area for the north east area of the town. Designated as LGS in BSNP2 2016.</p>
<p>The Firs (1.37 hectares)</p>	<p>Historic avenue of lime and pink chestnut trees, grass and bushes managed in part by an informal Friends Group of volunteers. Wildlife corridor that extends the East Herts designated Stortford Park wedge southwards into residential areas and connects with the town cemetery open spaces. Well used by local community as pedestrian and cycle link between several schools to the north and the residential areas, community centre and neighbourhood centre to the south. Subject of The Firs Greenspace Action Plan 2017-2022. The southern half of The Firs corridor is designated as Open Space in EH DP 2018. The whole corridor is identified as Natural and Semi-Natural Green Space in EH OSA 2017. Designated as LGS in BSNP2 2016.</p>
<p>The Spinney (0.78 hectares)</p>	<p>Woodland strip and scrub forming a wildlife corridor and separating the residential areas of Thorley and Bishop's Avenue, with paths linking the two and a pedestrian and cycle routes to Thornbera Gardens and Thorley Park Road. Also used by dog walkers and an informal play area for children. Identified as Natural and Semi-Natural Green Space in EH OSA 2017. Designated as LGS in BSNP2 2016.</p>

Burley Road play area (0.28 hectares)	Open green space and recreation and play areas serving a residential area that is isolated to some extent by the busy B1383 London Road on the west side and commercial buildings and the railway on the east and north. Identified as a LEAP in in EH OSA 2017: the only children's play area within the catchment zone for housing in this area; and the local provision for teenagers. Designated as Open Space in EH DP 2018.
The Baron's play area (0.05 hectares)	Small local play area with trees surrounded by housing on 3 sides and The Harvest Moon pub on the other. On footpath route through the local housing to Thorley Community Centre. Also adjoins the East Herts designated Thorley Park green wedge. Identified as a LEAP in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Dimsdale Crescent play area (0.40 hectares)	Open green space and recreation and play areas serving a residential area on the eastern edge of the town. Identified as a LEAP in in EH OSA 2017: the only children's play area within the catchment zone for housing in this area; and the local provision for teenagers. Designated as Open Space in EH DP 2018.
Knebworth Court play area (0.24 hectares)	Open green space and recreation and play areas and small woodland providing wildlife habitat. Connected by paths to adjacent residential areas and on pedestrian route to Thorley neighbourhood centre. Identified as a LEAP in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Wilson Close play area (Rhodes Avenue) (0.09 hectares)	Small open green space and recreation and play areas with trees and hedges along the edge providing wildlife habitat. Connected by paths to adjacent residential areas and on pedestrian route to Thorley neighbourhood centre. Identified as a LAP in in EH OSA 2017 with no LEAP covering this area of housing. Designated as Open Space in EH DP 2018.
Nightingales' play area (0.04 hectares)	Small open green space and recreation and play areas with trees and low hedges providing wildlife habitat. On edge of residential development with Herts and Essex hospital car park on one side. Omitted from EH OSA 2017 but listed on East Herts website of Parks and Open Spaces in Bishop's Stortford. In a housing area that has no other LAP or LEAP provision.
Ward Crescent allotments (1.46 hectares)	Community allotments operated by the Town Council serving the residential areas that surround it. Also the location of the Bishop's Stortford Allotments and Gardens Association store and shop. Open space outlook for the houses that overlook it. With hedges and trees around the edges and across the centre providing wildlife habitat. Identified as Allotment Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Hallingbury Road West allotments (2.54 hectares)	Community allotments operated by the Town Council serving the south east side of the town. With hedges and trees around the edges providing wildlife habitat and directly connected to countryside to the east. In green belt as adopted in EH DP 2018. Identified as Allotment Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Haymeads Lane	Community allotments operated by the Town Council serving the east side of the

allotments (2.02 hectares)	town. With hedges and trees around the edges providing wildlife habitat and directly connected to open space of Bishop's Stortford Golf Club to the east. Identified as Allotment Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
London Road allotments (0.12 hectares)	Small area of community allotments operated by the Town Council serving the London Road area. With trees all around the edges providing wildlife habitat and connecting directly to the River Stort. In flood plain of the River Stort: within flood zone 2 according to EH SFRA 2016. Identified as Allotment Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Thorley Street allotments (0.44 hectares)	Small area of community allotments operated by the Thorley Parish Council serving Thorley Street and the south of the town. With some trees and hedges providing wildlife habitat and connecting to River Stort wildlife corridor across the railway. In green belt as adopted in EH DP 2018. Designated as Open Space in EH DP 2018.
Central green at Turners' Crescent, St Michael's Mead, Thorley (0.41 hectares)	Open space, central hub of St Michael's Mead residential area including play area, landscaped green and connecting paths providing opportunities for socialising and play. With children's nursery and community centre adjacent and on footpath/cycleway route connecting St Michael's Mead with Thorley neighbourhood centre and Manor Fields Primary School. Identified as Amenity Green Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Landscaped garden at Mercer's Avenue, St Michael's Mead, Thorley (0.43 hectares)	Open space, public garden within residential area providing opportunities for community socialising in a quiet space. Trees and hedges provide some wildlife habitat. Connecting paths to residential areas on all sides. Identified as Amenity Green Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Landscaped green space at The Carpenters, St Michael's Mead, Thorley (0.44 hectares)	Open space within residential area providing opportunities for community socialising. With connecting footpath through an avenue of trees that with low bushes provide some wildlife habitat. Identified as Amenity Green Space in in EH OSA 2017. Designated as Open Space in EH DP 2018.
Landscaped garden on Milliner's Way, St Michael's Mead, Thorley (0.20 hectares)	Public open space on two sides of access road within residential area with trees, planted beds and seating used for community socialising. Provides open outlook for 3 storey houses around it. Trees and low hedges provide some wildlife habitat. Connecting paths to residential areas on all sides. Designated as Open Space in EH DP 2018.
Thorley Wash nature reserve (part thereof within neighbourhood plan area) (2.66 hectares)	Part of wetland reserve managed by Herts and Middlesex Wildlife Trust that lies within BSNP2 2016. Part of the river corridor and floodplain of the River Stort: within flood zones 2 and 3 according to EH SFRA 2016. SSSI with public footpath access from A1184 just south of A1184/Thorley Street junction and beyond to the River Stort towpath. The towpath provides a direct link into the town centre and The Meads for an extended recreational route. In green belt as adopted in EH DP 2018. Identified as Natural and Semi-natural Green Space in EH OSA 2017. Designated as Open Plan 2018.Space in East Herts District
Trinity Close play area (0.23 hectares)	Open green space and recreation and play areas serving a residential area on 3

	sides. Some trees/bushes on boundaries provide wildlife habitat. Identified as a LEAP in in EH OSA 2017: the only children's play area within the catchment zone for housing in this area. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
Parsonage Field (1.64 hectares)	Open green space and recreation and play areas serving surrounding residential areas. Public footpath traverses the field. Some trees and bushes around boundaries provide wildlife habitat. Identified as a LEAP with teenage provision in EH OSA 2017. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
Thorley Cricket Ground (1.53 hectares)	Open space, Thorley Cricket Club ground; also used for general recreation by local residents. Surrounded by housing on 3 sides with Southern Country Park on the other. Path across the ground connects residential areas with the park. Trees and hedges around the boundary provide corridors for wildlife. In green belt as adopted in EH DP 2018. Identified as Amenity Green Space in EH OSA 2017. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
Ward Crescent play area 6.6.1.1 (0.36 hectares)	Small open green space and recreation and play areas with a few trees and some low planting, surrounded by housing. Identified as a LEAP in in EH OSA 2017: also with teenage provision. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
Waytemore Road green and play area (0.83 hectares)	Open green space and recreation and play areas with a few trees and some low planting, surrounded by housing. Identified as a NEAP in in EH OSA 2017: also with teenage provision. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
Apton Road pond (0.07 hectares)	Small wildlife area with trees and undergrowth around a small pond in urban area to the west of the town centre, adjacent to St Michael's primary school. Designated as Other Green Space in BSNP2 2016.
Cox's Garden on Havers estate (0.58 hectares)	Open space; grassed area with trees, bushes and hedges on 3 boundaries. (Area of old tarmac in the south west corner is subject to planning application for preschool nursery: ref. 3/19/0898/CPO). Within residential area, provides open view to houses overlooking it. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.
The Green: a square bounded by Audrey Gardens, Mary Park Gardens and Bishops Avenue (0.33 hectares)	Open space; grassed area with a few trees within a residential area, providing an open outlook for the houses around it and opportunities for informal recreation. Identified as Amenity Green Space in EH OSA 2017: the only such for this residential area. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.

<p>Thorley Lane verge (1.18 hectares)</p>	<p>Grassed verge with hedges and many mature trees. Separates residential development to the north from the busy Whittington Way road and will be of increased importance as a wildlife corridor once the Bishop's Stortford South development currently under construction on the opposite side of the road is complete. Identified as Natural and Semi-natural Green Space in EH OSA 2017. Designated as Other Green Space in BSNP2 2016.</p>
<p>Nettlewell Gardens at South Mill Arts (previously Rhodes Arts Centre) (0.07 hectares)</p>	<p>Small garden area at South Mill Arts Centre (previously known as Rhodes Arts Centre) that enhances the setting of the centre and provides some wildlife habitat in this busy area. Designated as Other Green Space in BSNP2 2016.</p>
<p>Old Cemetery and New Cemetery (5.98 hectares)</p>	<p>The main cemetery sites in the town that have many mature trees and areas of wild flower planting, providing a quiet place for contemplation and a wildlife haven. Identified as Cemeteries in EH OSA 2017. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.</p>
<p>Area adjacent to Rushleigh Green and the Ridings (0.50 hectares)</p>	<p>Grassed area with a few trees in middle of residential area and footpaths linking to the housing areas around and Thorley neighbourhood centre. Identified as Amenity Green Space in EH OSA 2017. Designated as Open Space in EH DP 2018. Designated as Other Green Space in BSNP2 2016.</p>
<p>Established mature woodland between Thorley Lane East and Broadleaf Avenue (1.29 hectares)</p>	<p>Wild and mature woodland with residential areas all round. On Moor Hall Lane, a very quiet road used by local walkers and cyclists. The south west corner abuts the Southern Country Park and provides a continuation of the wildlife habitat provided by the park. The northern half is identified as Natural and Semi-natural Green Space in EH OSA 2017 (It is not clear why the southern half was omitted). Designated as Other Green Space in BSNP2 2016.</p>
<p>Boundary strip to St Michael's Mead bounded by A1184 (St James' Way), Mercer's Avenue, Moor Hall Lane and rear of housing on The Shearers (2.93 hectares)</p>	<p>Landscaped open space with trees and bushes providing buffer between A120 and housing. Paths connect to the adjacent residential areas and a bridleway runs along the strip between Southern Country Park and St Michael's Mead Northern Parkland. There are also bridleway and footpath links from this strip to the wider network in the countryside to the west. Wildlife corridor and habitat. In green belt as adopted in EH DP 2018. Identified as Natural and Semi-natural Green Space in EH OSA 2017.</p>
<p>Boundary strip to St Michael's Mead bounded by A1184 (St James' Way), B1004, Mercer's Avenue and rear of housing on Blacksmith's Close and Tailors (2.22 hectares)</p>	<p>Landscaped strip with trees and bushes providing buffer between A120 and housing. Paths connect to the adjacent residential areas and a bridleway runs along the strip between Southern Country Park and St Michael's Mead Northern Parkland. There are also footpath links from this strip to the wider network in the countryside to the west. Wildlife corridor and habitat. In green belt as adopted in EH DP 2018. Identified as Natural and Semi-natural Green Space in EH OSA 2017.</p>
<p>Area of woodland at entrance to St Michael's Mead on Moor Hall Lane</p>	<p>Dense young woodland providing buffer between St James' Way/Moor Hall Lane roundabout and continuation of wildlife corridor between Southern Country</p>

(0.29 hectares)	Park and boundary strip to St Michael's Mead residential area. In green belt as adopted in EH DP 2018. Identified as Natural and Semi-natural Green Space in EH OSA 2017. Designated as Open Space in EH DP 2018.
Green space at end of Alder Close (0.03 hectares)	Small open amenity space with trees on edge, crossed by footpath from Alder Close to join main footpath/cycleway route from St Michael's Mead to Manor Fields primary school and Thorley neighbourhood centre. Area for parents and children to wait when dropping off/collecting children from rear access to Manor Fields primary school.
Green space near corner of Sainsbury's, Thorley between 66A Ashdale and 29 Irving Close (0.01 hectares)	Small open amenity space with trees adjacent to footpaths running down the side of Thorley neighbourhood centre and connecting the centre to residential areas to the south of Thorley. Provides a break between the busy frontage to the neighbourhood centre and adjacent housing. An application to obtain planning permission for a retail kiosk on this site was refused by East Herts in March 2020 (ref. 3/20/0038/OUT) following objections from many local residents.



Neighbourhood Plan for All Saints, Central, South and Part of Thorley Parish – Part 2 Site Independent Policies

(1<sup>st</sup> Revision)

2021-2033

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Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish – Part 2 Site  
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### 1 Introduction

1.1.1.1 The document contains objectives and policies which are not related to specific major development sites ('site independent') and apply to the whole of the neighbourhood plan area.

1.1.1.2 The policies in this section are identical, other than where specific locations are mentioned, to the policies contained within 'Neighbourhood Plan for Silverleys and Meads Wards (1<sup>st</sup> Revision) – Part 2 Site Specific'. This recognises that, whilst the two Neighbourhood Areas and their respective Neighbourhood Plans have distinct characteristics, there are also many common factors to which common policies rightly apply.

1.1.1.3 This revision takes the process a step further so that equivalent policies in the two plans have identical wording.

### 2 Vision and Objectives

#### 2.1 CLIMATE CHANGE

2.1.1.1 Since the creation of the Neighbourhood Plan, the potential impact of climate change has become more evident.

2.1.1.2 This first revision of the Neighbourhood Plan specifically recognises the importance of tackling climate change both in terms of reducing greenhouse gas emissions to minimise future global climate change, and planning for the unavoidable local impacts of climate change.

#### Objectives

- To enable Bishop's Stortford to make a significant contribution to reducing climate change and to respond to East Herts District Council's commitment to support the whole of the District in becoming carbon neutral by 2030.

- To build resilience in the town to unavoidable climate change, mitigate climate change effects, moderate or avoid harm and exploit beneficial opportunities.

#### 2.2 HOUSING AND DESIGN

2.2.1.1 Housing, and the design of the urban environment, has a direct impact on quality of life and excellent design is critical to creating desirable and sustainable neighbourhoods with a sense of community and place. The Neighbourhood Plan does not allocate housing land; this is the responsibility of the East Herts Council District Plan 2018. Instead the Neighbourhood Plan seeks to influence development to ensure that it complements the town, is of a high quality, and is supported by appropriate infrastructure.



#### 2.2.2 Objectives

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Identify, protect and enhance archaeological sites

### 2.3 GREEN INFRASTRUCTURE

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2.3.1.1 The residents of Bishop's Stortford are fortunate to live in a town that encompasses a variety of green areas and that has links to the surrounding countryside; both of which provide opportunities for healthy and enjoyable activities and space for nature. The River Stort provides water related leisure activities and biodiversity.

2.3.1.2 In recent years, the importance of these areas has become more apparent. They can help address the impacts and future risks associated with climate change. They provide environments in which we can connect with nature which is good for our physical and mental health. And they provide opportunities for social contact, the value of which has never been so apparent as during the recent times of restricted social activity due to the covid-19 pandemic.

2.3.1.3 New development should protect and enhance these green assets for the wide variety of benefits they can provide for both new residents, the wider community and nature.

#### 2.3.2 Objectives

- In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.
- Protect and enhance green infrastructure for the many benefits it provides.
- Protect and enhance wildlife and biodiversity, including the River Stort
- Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort

- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green infrastructure



### 2.4 TRANSPORT

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2.4.1.1 High levels of car ownership and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. In addition to concerns over traffic volumes, community feedback has also highlighted key concerns about pedestrian and cyclist safety, parking and public transport provision. Whilst the Neighbourhood Plan contains policies to improve sustainable travel, the overall aspiration is to improve movement by all transport modes including walking, cycling, public transport and car.

#### 2.4.2 Objectives

- Support solutions to congestion and poor air quality
- Create and promote sustainable travel networks
- Provide vehicle and cycle parking to support sustainable travel objectives
- Manage traffic speeds and promote road safety
- Contribute to improve town accessibility and connectivity

## 2.5 EDUCATION

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2.5.1.1 Schools in Bishop's Stortford are generally recognised to have very good standards and attract pupils from a wide catchment area. There is a demand for both primary and secondary places which exceeds the places available and this gap is forecast to widen as the population of the town grows. The unbalanced geographical distribution of secondary schools contributes to traffic congestion in the town. There is poor provision of adult education and vocational training.

### 2.5.2 Objectives

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training, adult education and wide community use.

## 2.6 HEALTH

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2.6.1.1 Primary health care in the town is already stretched and many residents complain about difficulties with getting timely appointments with GPs, about a lack of mental health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities.

### 2.6.2 Objective

- Provide reasonable access to health services for residents of all ages



## 2.7 SPORT, LEISURE & COMMUNITY

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2.7.1.1 Whilst the Neighbourhood Area and the town as a whole benefit from a number of sports facilities there is a high demand for additional or enhanced space, both indoor and outdoor, and a relatively low public satisfaction rating for current sports facilities within the town. The competing demands for land use create real challenges in meeting the need.

### 2.7.2 Objectives

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt for sensitively designed outdoor sport, leisure and community facilities

## 2.8 BUSINESS AND EMPLOYMENT

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2.8.1.1 Bishop's Stortford has excellent transport links to London, the M25, Cambridge and, due to its proximity to Stansted Airport, many international destinations. It is well positioned in relation to the UK's most dynamic economies. There is an inadequate supply of modern business space to accommodate the potential for employment growth but relatively low unemployment. There is some tension

between those who wish to see local employment opportunities expand, and those who are concerned that expansion does not damage the attributes which make the town attractive.

### 2.8.2 Objectives

- Create new employment opportunities for local residents while protecting amenities for residents
- Support development in the town and commercial areas to ensure sustainable employment diversity

## 2.9 TOWN CENTRE

2.9.1.1 The town centre still has the character of a historic market town. Whilst it has suffered, like many others, from a movement towards online and out of town shopping, the occupancy rates remain high. The Neighbourhood Plan contains policies which seek to ensure that the centre remains a vibrant and attractive focus for both retail and other activities.

### 2.9.2 Objectives

- Create a more attractive pedestrian environment reconnecting with the river.
- Promote a holistic parking strategy balancing the needs of residents, businesses and visitors with the impact on the environment.
- Produce a framework for retail between national chains and independent shops.
- Identify flexible and adaptable employment uses to support the town's economy.
- Create a welcoming, prosperous and dynamic town centre through attractive development and integrated refurbishment

- To provide a balanced mix of residential, cultural, leisure and business uses within the Town Centre.

## 3 Policies

### 3.1 CLIMATE CHANGE

#### 3.1.1 Introduction

3.1.1.1 This first revision of the Neighbourhood Plan specifically recognises the importance of tackling climate change both in terms of reducing greenhouse gas emissions to minimise future global climate change, and planning for the unavoidable local impacts of climate change. Every planning application should be assessed through the prism of the necessity to do everything possible to reduce the impact of climate change.

**3.1.2 Objective: To enable Bishop's Stortford to make a significant contribution to reducing climate change and to respond to East Herts District Council's commitment to support the whole of the District in becoming carbon neutral by 2030.**

3.1.2.1 To quote from the recent report, 'UK housing: Fit for the future?' from the Committee on Climate Change (CCC): "The technology exists to deliver homes that are low-carbon, energy efficient and climate-resilient, with safe air quality and moisture levels. The costs are not prohibitive, and getting design right from the outset is vastly cheaper and more feasible than having to retrofit later."

3.1.2.2 Since the East Herts Local Plan was adopted in 2018, a number of local initiatives have been taken in relation to climate change.

Herts County Council declared a climate emergency in July 2019 and adopted a new Sustainable Hertfordshire Strategy in early 2020. East Herts Council declared a Council Change Motion in July 2019. The policies below are in line with and will help to achieve the national targets set by the Climate Change Act. They look forward to an intention by East Herts Council to adopt similar policies.

3.1.2.3 New developments must therefore be planned for low carbon emissions from now, even if the initial costs are increased. Retrofitting is more expensive in the long run, so it is essential to adopt the right approach from the beginning.

**CC1 – Carbon Emissions**

Every development should contribute to reducing or lowering greenhouse emissions in use. Encouragement will be given to proposals which go further and contribute no greenhouse emissions (net zero carbon).

3.1.2.4 A carbon reduction plan should be submitted as part of any major development application.

3.1.2.5 Local sources of clean energy are a low impact way to provide a sustainable method of reducing reliance on finite fossil fuel reserves and should therefore be encouraged. These would contribute to climate change mitigation by decarbonising part of the energy supply. They could be part either of a new-build or a retrofit in a renovation project, or as an entirely separate scheme. Developer contributions will be sought to fund new schemes.

**CC2 – Small scale energy production schemes**

Proposals for individual and community scale sustainable and renewable energy regeneration, particularly solar photovoltaic panels, local biomass facilities, anaerobic digesters and wood fuel products will be supported subject to the following criteria:

- the siting and scale of the proposed development is appropriate to its setting and position in the wider landscape
- the proposed development does not create an unacceptable impact on the amenities of local residents;
- the proposed development does not have an unacceptable impact on the biodiversity of the area.
- the proposed development does not compromise the 'essential purposes' of the green belt.

**3.1.3 Objective: To build resilience in the town to unavoidable climate change, mitigate climate change effects, moderate or avoid harm and exploit beneficial opportunities.**

3.1.3.1 Much of the existing building stock has poor energy characteristics and improvements which address this should be encouraged.

3.1.3.2 There is a potential conflict between such improvements and considerations of aesthetics and conservation and there is a risk that insufficient weight is given to climate change in such cases. This risks preserving the visual characteristics of buildings which are not fit for purpose for a future which will be severely compromised by the effects of climate change, an objective which ultimately is fruitless. Policy CC3 is designed to redress this balance so that addressing climate change is considered to be paramount unless the effects of so doing are overwhelmingly adverse.

3.1.3.3 Alterations to existing buildings must be designed with energy reduction in mind and comply with sustainable design and construction standards. The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings will be encouraged, including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future.

#### **CC3 – Modifications to Existing Buildings**

a) Modifications to existing buildings the principal effect and purpose of which mitigates the negative impacts of climate change are supported unequivocally, unless the development can be shown to result in significant harm to the street scene or the amenity of neighbouring properties.

b) For the avoidance of doubt the policy in a) applies to listed buildings unless the proposed development causes material and irreversible harm to the significant historical structure or to the historic appearance as viewed from the public highway. Harm to the appearance which is not readily visible from the public highway, reversible harm to the historic

structure or harm to the parts of the building which are not of historic significance will not qualify as 'significant' harm other than in exceptional circumstances.

3.1.3.4 Buildings also need to be protected against the effects of future climate change, including rising temperatures, scarcity of water and increased flood risk.

3.1.3.5 The Committee for Climate Change report warns about the resilience of our buildings to the effects of climate change: "Efforts to adapt the UK's housing stock to the impacts of the changing climate: for higher average temperatures, flooding and water scarcity, are also lagging far behind what is needed to keep us safe and comfortable, even as these climate change risks grow. Around 4.5m homes overheat, even in cool summers; 1.8 million people live in areas at significant risk of flooding".

#### **CC4 – Design for the Future Climate**

Every development should be designed to be resilient to the unavoidable local impacts of climate change. These impacts should include all those anticipated at the time of the development for its design life. These design measures should avoid unacceptable impacts on neighbouring properties.

## 3.2 HOUSING AND DESIGN

### 3.2.1 Introduction

3.2.1.1 Bishop's Stortford has a range of architectural styles that present an attractive and recognisable local character.

3.2.1.2 Although each housing estate retains a character typical of the period in which it was built, subsequent infill and modernisation have resulted in an enormous variety of styles and appearances.

3.2.1.3 The District Plan 2018 establishes the amount of development required to meet

needs in Bishop's Stortford and across the district. This is not something that can be meaningfully influenced by the Neighbourhood Plan.

3.2.1.4 The Neighbourhood Plan focuses instead on shaping how development is brought forward to ensure that growth which complements and enhances the unique character of the town can take place in a way which does not undermine the main purpose of the Green Belt in preventing uncontrolled urban sprawl.

3.2.1.5 The policies on Housing & Design should be applied in conjunction with the Climate Change policies in the preceding section.

### **3.2.2 Objectives**

3.2.2.1 The objectives underlying the policies in this chapter are grouped under the headings below:

- Promote an attractive and harmonious living environment recognising the town's heritage
- Promote high functionality and quality within the living environment
- Provide housing for all and create community cohesion
- Identify, protect and enhance archaeological sites

#### **Objective: Promote an attractive and harmonious living environment recognising the town's heritage**

3.2.2.2 Bishop's Stortford has a blend of character liked by its residents and well represented within both Neighbourhood Areas. Some areas feature generous gardens and on the edge of the built up areas open spaces allow the town to blend gradually into its rural hinterland. In these areas it is

expected that any developments will enhance this transition through the use of Garden City principles. The ongoing presence of a Green Belt transition together with the town bypass creating its own boundary will help to keep the scale and character of Bishop's Stortford as a historic market town and to prevent urban sprawl.

3.2.2.3 Hertfordshire is the home of the Garden City and, although the character of the Town was never intended as such, the predominance of green open spaces towards the edge accord with those of a mature Garden suburb. The Garden City approach to planning balances lower density of development often around the edge of towns with relatively higher density towards the centres. It also incorporates its own green infrastructure (e.g. gardens, parks, landscaping) so as to create a smooth transition between that and the rural hinterland beyond, with gardens of a size commensurate with the scale and type of dwelling.

3.2.2.4 Comments from local residents show support for lower density developments and show support for the view that landscaping and trees create an attractive environment.



Figure 1 – Development Areas Identified in the District Plan

3.2.2.5 East Hertfordshire District Council has a Strategic Land Availability Assessment (SLAA) process to identify and appraise sites that come forward through a consultation process with landowners and other stakeholders.

3.2.2.6 It contains a number of commercial and other areas with premises that are no longer fit for purpose, or that are poorly sited for good connectivity to the transport network. Priority should be given to using such 'brownfield' sites for housing, provided suitable alternative premises arise elsewhere

in the Town and that opportunities for increasing the extent and quality of local employment are forthcoming.

3.2.2.7 All development must comply with Regulation 10(1)(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended which requires that in local plans and supplementary planning documents, regard be had for the objectives of preventing major accidents and limiting the consequences of such accidents for human health and the environment. Within the Neighbourhood area there is the potential for land allocation to encroach on

the consultation zones around a National Grid Gas PLC pipeline detailed in Appendix 4.



**HDP1 – Residential development and redevelopment**

Brownfield re-development shall be supported subject to the achievement of high quality design that meets the requirements of other policies and does not compromise to an unacceptable level the amenity value in either neighbouring properties or for the future occupiers of the proposed development.

3.2.2.8 Bishop's Stortford should only receive the very best, attractive and sustainable development. Building for a Healthy Life 12, a Government-backed industry standard for well-designed homes and neighbourhoods, is an effective way of achieving high quality through compliance with policy. The standard sets out twelve criteria to assess the quality of a development scheme.

3.2.2.9 The District Plan 2018 acknowledges the value of lifetime homes. Proposals coming forward in Bishop's Stortford should follow the Building for a Healthy Life 12 principles and aim to be exemplary, ideally scoring twelve out of twelve greens when assessed against these criteria. In this context a 'green' against a specific criterion means that all relevant recommendations for that criterion are met.

3.2.2.10 Appendix 3 contains a summary of the AECOM Heritage and Character

Assessment for the Neighbourhood Area divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location and to identify areas without a positive style where a more innovative approach can be used.

3.2.2.11 The National Planning Policy Framework places considerable importance to the setting of heritage assets, not just the assets themselves, and this is particularly important where a large number of listed buildings create a unique historic character that extends beyond the boundary of the Conservation Area.

3.2.2.12 For sites near to or in the Conservation Area, it is expected that planning decisions will reflect the advice given in Historic England's publication 'The Historic Environment in Local Plans' or whatever advice supersedes it, in conjunction with the Bishop's Stortford Conservation Area Appraisal (CAA). The CAA is expected to guide developers in designing new buildings as appropriate for their historic settings. It also identifies many unlisted buildings that make a positive contribution to the character of the area and which do not enjoy the same protection as listed buildings. Such buildings need to be properly maintained and preserved to keep the essential character of the area.

**HDP2 – Setting and character of buildings, streets and spaces**

a) For all development proposals in, and adjacent to, the Conservation Areas, schemes must follow the relevant styles and materials set out in the Conservation Area Character Appraisal. Proposals for such schemes will be expected to demonstrate that the significance of the historic setting has been

considered and sensitively factored into the design. Schemes involving the demolition of unlisted buildings that make a positive contribution to the Conservation Area, as denoted in section 7 - Management Proposals in the Conservation Area Appraisal, will not be supported except where the contribution from replacement buildings is comparable or better, or where the public benefit of the replacement scheme in terms of its appearance and design or the viable use of the site outweighs the harm.

b) Developments will be expected to be of high quality and to sit well within their setting. Proposals for major schemes shall, unless demonstrably unviable:

- Follow the Character Management principles described in Appendix 3, depending on the Townscape Character Area (TCA) of the site.
- Be accompanied by a Building for a Healthy Life 12 (formerly Building for Life 12) Assessment. The expectation is that schemes will score green or amber against all applicable criteria. An amber score will only be acceptable where it is accompanied by a clear justification in terms of local circumstances or viability explaining why a green score cannot be achieved.
- Demonstrate that buildings, streets and spaces relate well to their location and surroundings, particularly in prominent areas.
- Preserve routes of existing roads and lanes to provide continuity with the history and morphology of the local area, unless this is demonstrably not viable.

c) Innovative designs of a high quality can be used, where it can be demonstrated that they also contribute positively to the immediate surroundings.

### 3.2.3 Objective: Promote high functionality and quality within the living environment

3.2.3.1 The achievement of high quality through good design, whether on the detailed scale within homes or on the wider scale for, say crime prevention, is encouraged by looking to meet or exceed current standards as they evolve. Best practice design principles shall be followed to ensure current and future functional and service needs are anticipated, thereby avoiding subsequent disruptive changes and contributing to the sustainability of the neighbourhood in the long term.

3.2.3.2 Sport England with Public Health England have produced Active Design guidance detailing how good urban design practice can deliver built environments that are enjoyable to live in and encourage healthy lifestyles.

3.2.3.3 The aim is for new development to deliver homes that are fit for purpose. This can relate to simply having enough space, for example for visitors and guests to promote social interaction, for bikes and push chairs to encourage sustainable transport and to store sorted waste awaiting collection under the multiple wheelie bin local policy. Consultation has revealed that homes need more space and it is recommended that the Nationally Described Space Standard in the optional DCLG Technical Housing Standards is used.

3.2.3.4 Recent changes in local lighting times have resulted in concerns about night time safety and security within Bishop's Stortford. It is important that the quality of lighting in new developments is able to allay those fears.

3.2.3.5 In order to mitigate the impacts of new development on climate change, development proposals should demonstrate how they will ensure that new dwellings and

business premises include energy-saving and carbon dioxide reducing measures that at least match, and ideally exceed, proposed regulations.

3.2.3.6 Some residents of the town have complained that unadopted roads in recent new developments have needed costly arrangements for road maintenance that could be avoided if built to a proper standard.

3.2.3.7 The Environment Agency have said that the Town is part of a wider area under 'severe water stress' and recommend the DCLG Optional Technical Standard for Water Efficiency should be applied through NP policy. Although the District Plan 2018 covers water conservation generally, the local nature of the issue argues for its specific inclusion in the Neighbourhood Plan.

3.2.3.8 Following the May 2016 House of Commons rejection of the Lord's amendment on SUDS (Sustainable Drainage Systems), where they suggested removing the automatic right of developers to connect to public sewers for surface water and encourage SUDS on every development, the Lords accepted an amendment. This now means the Secretary of State must carry out a review of the planning legislation, government planning policy (introduced in April 2015) and arising local planning policies concerning sustainable drainage.

3.2.3.9 The Stort river runs through the Neighbourhood Plan area and has a history of flooding in the town centre and of water runoff towards its flood plain, so it is vital that developments follow SUDS water management principles to minimise any adverse impact. A hierarchy of Sustainable Urban Drainage appears in the District Plan 2018 in Table 23.1.

### HDP3 – Design standards

a) In addition to other applicable criteria for design assessment, development will be required to meet all of the following criteria unless they include a clear justification for not meeting the standard:

- For all significant developments<sup>1</sup>, developers must demonstrate how the first nine principles of active design as detailed within Sport England's, Active Design Guidance (2015) have been addressed by using the Active Design checklist.
- Street lighting should achieve the standard as described in the Secured by Design publication 'Lighting Against Crime' or subsequent documents which explicitly supersede this.

b) On sites where the orientation of the buildings can reasonably facilitate roofs which face 45 degrees or less either side of due south, developers must consider the incorporation of solar energy generation. On all sites the use of solar energy or other sources of renewable energy will be supported, where it does not conflict with other development plan policies.

c) All roads on new developments will be expected to meet the criteria for adoption set out by the Highways Authority.

d) All schemes are expected to follow the principles described below:-

- Development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy, unless there are practical engineering reasons for not doing so.
- Development should aim to achieve greenfield run-off rates and ensure that

<sup>1</sup> See Appendix 2 - Glossary

surface water run-off is managed as close to its source as possible.

- Drainage should be designed and implemented in ways that deliver other policy objectives of this Plan, including water use efficiency and quality, biodiversity, amenity and recreation. The provision of balancing ponds as part of an area of public open space for recreation or wildlife should be designed to ensure the safety of other users of the space. Where SUDS are provided as part of a development, applicants should detail how it will be maintained in the long term.
- Where practicable, SUDS should be designed to ensure the sustainable drainage networks have the additional capacity required to cope with infrequent adverse weather conditions and therefore reduce flood risk.

### 3.2.4 Objective: Provide housing for all and create community cohesion

3.2.4.1 The future housing mix policy within the District Plan 2018 is identified through the West Essex and East Hertfordshire Strategic Housing Market Assessment Sept 2015 (SHMA), which sets out the Objectively Assessed Housing Need (OAHN) over the Plan period, forecasting requirements to 2033.

3.2.4.2 The District Council also uses other sources of information to forecast housing demand within the District, including its own Housing Needs survey of residents carried out in Q4 of 2014 to identify current and future demand within the District and sub-areas. The key finding from that survey for Bishop's Stortford (based on 180 respondents) is that it has a strong demand for affordable housing, particularly amongst 'concealed households' (those not living independently but who wish

to do so), indicating a lack of affordable homes within the area.

3.2.4.3 Comments from local residents shows the following:

- Strong preference for 2-3 bedroom homes
- Positive demand for bungalows
- Less preference for 4/5 bedroom homes
- Positive demand for shared ownership



3.2.4.4 The fact that the Town is only 15 minutes travel time to the major employment centre of Stansted Airport and less than 45 minutes to London and Cambridge along the M11 corridor means that housing demand is likely to exceed the District average. Feedback from local people, particularly young people starting families, shows difficulty in obtaining a place to live is a major concern.

3.2.4.5 The 2011 Census figures also show that the Town has more families with one or two dependent children and less two to three bedroom homes, compared to the East Hertfordshire District average. This argues for housing mix to be weighted away from four or five bedroom homes towards those with two or three bedrooms. Paragraph d) of policy HDP4 indicates how supply for smaller family houses could be increased by building small bungalows as part of the housing mix.

3.2.4.6 The high demand for housing coupled with the large difference between

affordable home provision policy and the current provision clearly supports the need for a pragmatic and sensitive approach to dwelling mix policy implementation. This needs to take account of the local conditions driving demand and the nature of the area itself to avoid damaging both its character and social fabric.

3.2.4.7 The policy for Dwelling Mix Strategy requires an assessment to be carried out by developers of how the mix they propose meets with local needs, within the whole of Bishop's Stortford, for schemes above a certain size. The assessment should be part of the Design and Access statement and will be reviewed as part of the East Herts Council's formal decision making process for planning applications, taking into account local factors such as affordability and availability of market homes and the trend of affordable housing waiting lists. To avoid the 'leakage' of affordable properties back into the open market, only schemes that allow the retention of affordable homes through buyback by providers, or other appropriate measures will be supported.

3.2.4.8 The Self-build and Custom Housebuilding Act 2015 obliges Planning Authorities to keep a register of those seeking to acquire land to build a home. It is expected that the register for East Hertfordshire will be used as a guide to the demand for such land when assessing the proportion of market housing allocated for this type of building in new developments as they come forward.

**HDP4 – Dwelling mix strategy**

This policy applies to residential development comprising major development (see Glossary).

a) Developers are required to submit a Dwellings Mix Strategy as part of the Design and Access Statement with any planning

application. The strategy must clearly demonstrate how the proposed development addresses the objectively identified needs within Bishop's Stortford. This must cover all the needs including those for all forms of market and 'affordable' housing.

b) On schemes referred to above, the proposal shall show how it meets the criteria and requirements set out in the East Herts Affordable Housing SPD May 2020 or successor document.

c) Proposals must demonstrate that unfulfilled demand for bungalows has been considered. Subject to viability, and the achievement of appropriate density across the whole scheme, an element of bungalow development will be encouraged.

d) Proposals shall demonstrate that alternative types of purchase funding such as self-build for market housing, have been considered. The Self-build Register should be used to assess the level of demand in an area to determine the proportion of land given over to such type of building, along with other relevant factors such as the size, position, accessibility and terrain of the site.

3.2.4.9 As a commuter town primarily for London, but also for Cambridge, Bishop's Stortford sometimes suffers from a lack of "community". Provision of 'Lifetime Homes' is a way to encourage stability and social cohesion by making it easier to avoid unnecessary uprooting of households to 'upsized' or 'downsized'. Wheelchair adaptable housing standards, applied through building regulations M(2), have superseded the Lifetime Homes definition, and the District Plan 2018 advocates a flexible approach to the proportion of homes built to this standard. However, the case for building a significant proportion of wheelchair adaptable homes remains.



3.2.4.10 Integration of such accommodation into residential areas is encouraged to promote security, diversity, inclusion and community cohesion, as recommended during consultation with housing providers.

### HDP5 – Building for the community

a) Housing for Older and Vulnerable

People will be expected to be:-

- In a suitable location where access to a choice of sustainable travel options is available;
- Within walking distance, on a safe and level route or within easy reach by passenger transport, to town centre shops and services;
- Well integrated with existing communities through the sharing of space and public access to services;

b) Where new community facilities are being constructed in association with residential development the timing of their commissioning should ensure they are available for the new and existing community from the start of occupation or, where it can be clearly demonstrated that this is not viable or practicable, in accordance with an agreed phasing policy which will deliver facilities at the earliest stage at which it would be viable.

### 3.2.5 Identify, protect and enhance archaeological sites

3.2.5.1 Bishop's Stortford has numerous archaeological sites dating from the early prehistoric through to the Later Iron Age, Roman and Medieval periods. Existing Local and District Plans have the policies to ensure that new development sites with archaeological potential can be investigated to determine if important archaeological remains ('heritage assets') are present. These policies are considered sufficient to enable appropriate mitigation measures (further surveys, excavations, etc.) to be put in place.

3.2.5.2 Bishop's Stortford Museum should take priority on exhibiting any remains found, unless the find is of such scale and importance that it needs its own premises to conserve and display the finds.

### HDP6 – Archaeology

Should new archaeological finds occur, or be expected to occur, as part of a development, that are worthy of reclamation or display, an appropriate contribution will be sought from the developers towards the costs of whatever methods are deemed by Hertfordshire County Council and/or Bishop's Stortford Museum to be most appropriate to curate, reclaim or display the finds.

## 3.3 CONTRIBUTIONS TO COMMUNITY INFRASTRUCTURE

3.3.1.1 Bishop's Stortford has a range of infrastructure needs and on-going

requirements. In order to make sure there is a consistent approach to community infrastructure and to ensure that the objectives within the Neighbourhood Plan are supported with any future development proposals, financial contributions should be made accordingly.

**CI – Contributions to Infrastructure and Community Facilities**

Where policies in the Neighbourhood Plan require contributions to new or improved community infrastructure or community facilities, they will be made through planning obligations in accordance with Policy DEL1 of the East Herts District Plan 2018 where they comply with the Community Infrastructure Levy Regulations 2010 and any subsequent amendments to them.

**3.4 GREEN INFRASTRUCTURE**

**3.4.1 Introduction**

3.4.1.1 Green infrastructure is described in the National Planning Policy Framework 2021 (NPPF) as ‘a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.’

3.4.1.2 East Herts District Plan 2018 includes a fuller definition in Appendix C Glossary as follows:

*‘Green Infrastructure is a strategic network of multi-functional greenspace, both new and existing, rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. It provides habitats for and aids migration of wildlife, flood water storage, urban cooling and local access to shady outdoor space as well as creating attractive spaces for recreation.’*

3.4.1.3 Bishop’s Stortford includes a rich and wide variety of green space resources, such as parks, play areas, sports fields, allotments, woodland, meadows and the River Stort. These make up the larger part of the town’s green infrastructure but smaller features such as hedgerows, small groups of trees, public gardens, watercourses and connecting paths also play an important part in forming a green infrastructure network.

3.4.1.4 The rapid expansion of the town has increased the demand on its existing green spaces and will continue to do so. This is having detrimental impacts on some locations, for example on Southern Country Park on the south west side of town where footpaths can become difficult to traverse in wet weather because of heavy use, despite the efforts of the volunteer team spreading wood chippings on a regular basis.

3.4.1.5 East Herts District Plan policy BISH1 provides for a minimum of 4,426 new homes in Bishop’s Stortford for the plan period of 2011 to 2033. That represents an increase in population of about 10,000 on the 2011 population of about 38,000: a greater than 25% increase. The large areas of farmland being given over to development is inevitably reducing habitats, views across countryside and the sense of space. A recent and controversial case has been the felling of a line of mature trees on Whittington Way to form accesses and frontage for the St James’ Park development.



3.4.1.6 Additional green infrastructure and careful management of what the town already has will be needed to address this pressure.

3.4.1.7 Climate change is recognised as causing a number of problems including prolonged periods of heat stress and drought, and increased storminess and flood risk.

3.4.1.8 It is widely recognised that green infrastructure can contribute to climate change management. The NPPF states in clause 154 that 'New development should be planned for in ways that: ... avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks are managed through adaptation measures, including through the planning of green infrastructure;...'.

3.4.1.9 National and local government initiatives and policies are being directed at reversing the degradation of our natural environment and to reducing and managing climate change, as seen in the NPPF clause 149 et seq. and in East Herts District Plan 2018, for example in its Vision and Strategic Objectives for 2033 item 11. 'The District's rich and varied green infrastructure centred in the river valleys will have been reconnected and enhanced and its multi-functionality protected providing increased resilience to changing climates, improved ecological connectivity and new spaces for recreation and leisure.'

3.4.1.10 Local green infrastructure can contribute in a small way to limiting climate change and more substantially to increasing local resilience.

3.4.1.11 Developers need to play their part in achieving this vision. Development proposals that demonstrate commitment to provision of high quality green infrastructure by obtaining

accreditation under the Building With Nature scheme will be welcomed (see: <https://www.buildingwithnature.org.uk/how-it-works> ). Developers should aim to achieve the 'Good Award' standard as a minimum.

3.4.1.12 The objectives and policies set out below seek to contribute at the local level.

### 3.4.2 Objectives

3.4.2.1 The objectives underlying the policies in this chapter are organised under the headings below

- In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.
- Protect and enhance green infrastructure for the many benefits it provides.
- Protect and enhance wildlife and biodiversity, including the River Stort
- Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort
- Provide essential community facilities
- Maintain and enhance the flood mitigation function of green infrastructure

### 3.4.3 Objective: In a time of climate emergency, protect and enhance the contributions that green infrastructure makes to reducing climate change and adapting to it.

3.4.3.1 The need for urgent action to address climate change has been recognised by all levels of government. Hence a new section on Climate Change is included in the revised Neighbourhood Plan (see above) requiring developers to implement climate change mitigation and adaptation measures in

their proposals to which reference should be made.

3.4.3.2 In Bishop's Stortford the consequences of climate change include the increased risks of drought, heat stress, pressure on water supplies and flooding. This is recognised in the Town Council's constitutional policies on Climate Change which apply to the land and properties the Council owns, manages or is responsible for. Its policies are aimed particularly at

- Reducing energy consumption and using renewable sources and
- Reducing water consumption and planting drought-resistant plant species in its parks and green spaces.

3.4.3.3 Local concern about climate change and the need to address it is also evidenced by the Bishop's Stortford Climate Change Group. This was formed in 2015 with the purpose of increasing understanding of and encouraging action on the issue. One of the group's priorities is to support tree planting in the area.

3.4.3.4 Green infrastructure can help mitigate and adapt to climate change. East Herts District Plan 2018 recognises this in its climate change policies, for example in clause 22.2.2 which describes measures to address overheating including: *'providing green infrastructure including woodlands, orchards, street trees and green landscaping, parks, sports grounds, allotments, and green roofs.'*

3.4.3.5 Policy BISH7 The Goods Yard II.(f) requires *'landscaping and tree planting to reduce urban heat island effects.'*

3.4.3.6 East Herts District Council's Sustainability SPD 2021 also describes the multi-functional role that green infrastructure has to play in enhancing environmental sustainability, place shaping, health and

wellbeing. It focusses particularly on how it is essential to the district's resilience to climate change.

3.4.3.7 Green infrastructure contributes to mitigating and adapting to climate change in a variety of ways, for example by providing:

- Opportunities for recreation and movement from place to place that reduces the need for travel by car
- Woodland management and tree planting that absorbs carbon, improves air quality and provides shade
- A wide variety of habitats for nature that has been displaced or is under threat including water-based habitat
- Space for sustainable drainage and flood risk mitigation
- Land for local food production reducing food miles

3.4.3.8 Developers are already required by various District Plan policies to provide or contribute to elements of green infrastructure such as play areas, sports facilities, allotments, sustainable drainage systems and retaining existing green infrastructure.

3.4.3.9 East Herts Sustainability SPD March 2021 states in clause 4.21 that "it is essential that new provision complements existing green infrastructure. Protecting and enhancing existing green infrastructure is key, mature trees and woodlands should be retained and enhanced wherever possible."

3.4.3.10 Building on the above, Policy GIP1 below encourages developers to increase the long-term resilience of their developments and the wider community by including a meaningful enhancement of green infrastructure provision in their proposals from the outset of the design process.

## Common Policies

3.4.3.11 Much as it would be useful, it is difficult to devise a 'one fits all' method of measurement for enhancing green infrastructure on a site due to

- the variety of its components,
- their differing value in particular local contexts, and
- the varied condition of sites pre-development (ranging from brownfield sites have no existing green infrastructure to sites that might be well provided for with some components).

3.4.3.12 Initial proposals for seeking a percentage increase in the area of green infrastructure have therefore been amended to require developers to demonstrate how their proposals would enhance existing green infrastructure, both qualitatively and quantitatively, having regard to the requirement to increase biodiversity in accordance with policy GIP5.

### **GIP1 – Utilising Green Infrastructure to mitigate and adapt to climate change**

a) All major developments shall provide a meaningful enhancement of the green infrastructure within the development site and connections to the green infrastructure network around the site (green infrastructure being defined in the NPPF 2021), unless it can be clearly shown that this is not technically deliverable or financially viable.

b) The green infrastructure on a site shall be, as far as reasonably practicable, publicly accessible so that the benefits can be enjoyed by all.

c) Proposals for major developments should include:

- an assessment of existing green infrastructure on the site (form, extent/quantity, benefits provided by it),

- proposals for retaining and enhancing green infrastructure on the site, assessed both quantitatively and qualitatively, to achieve the meaningful increase required by clause a) above, having regard to the net gain in biodiversity required by policy GIP5 below.
- assessment of climate change benefits and resilience of the infrastructure, and
- proposed arrangements for future long term maintenance of all green infrastructure during and post completion of development.

### **3.4.4 Objective: Protect and enhance green infrastructure for the many benefits it provides.**

3.4.4.1 As noted in the NPPF, green infrastructure contributes to promoting healthy and safe communities. Accordingly, protection of green spaces and other features from inappropriate development is provided by various measures and designations in the planning system. Of particular application at a local level is the opportunity provided by the NPPF clause 102) for local authorities to designate valued and significant green areas as Local Green Spaces, *'for example, because of their beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of wildlife'*.

3.4.4.2 The Neighbourhood Plan made in 2015 designated a few such sites.

3.4.4.3 East Herts Council have also used the District Plan 2018 to designate as Local Green Space several areas of Bishop's Stortford which it refers to as 'green wedges' or 'fingers'. They can be found on the District Plan policy maps on East Herts Council's website and will be seen to be large areas that extend from the edges of the town towards the urban centre.

3.4.4.4 Following the Hearing Sessions of the District Plan examination, East Herts District Council was asked to consider further its approach to these designations and did so by way of a *Local Green Space Note*. This describes how it had been a long-standing policy intention to protect these green wedges from inappropriate development and that this had been done in 1991 by way of Green Belt designation, the principle of which was carried through the 1999 and 2007 Local Plans.

3.4.4.5 The *Local Green Space Note* also commented on the character of each of the proposed wedges describing their proximity to residential development; the footpaths, desire lines and Public Rights of Way that run through them; the green routes they provide; and the open settings afforded to the conservation area and listed buildings.

3.4.4.6 The varied land uses within the wedges was also described including equipped play spaces, informal recreation areas, allotments, pocket woodlands, river environments, sports fields, school grounds and naturalised areas. The Council concluded that despite their size they still have a very local character and use. Their designation as Local Green Space was confirmed in the adopted District Plan.

3.4.4.7 Many people have spoken of the value to them of green spaces during the covid-19 pandemic when restrictions on travel and opportunities for social contact were reduced. Revision of the Neighbourhood Plan presented an opportunity to review the sites that had been designated in the original Neighbourhood Plan and the District Plan and this has resulted in the addition of many more, including smaller areas meeting generally more local needs.

3.4.4.8 The locations of these additional Local Green Spaces are shown in the Policy

Maps. Descriptions of their character and special value to the local community are given in the same document, demonstrating their compliance with the NPPF 2021 clause 102 which requires that such designations should only be used when the green space is: *'a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.'*

3.4.4.9 The descriptions of the proposed Local green Spaces also identify where the sites contribute to the local wildlife network and *'wildlife corridors and stepping stones'* that form connections in the network, as referred to in NPPF Clause 179.

3.4.4.10 East Herts green wedges include 4 of the Town Council's allotment sites, 5 of its equipped play areas as well as some sports fields and parks. The Neighbourhood Plan extends those designations to include other areas in the town of similar value to the community including the other allotments and play spaces.



3.4.4.11 A number of other, generally smaller, green spaces are listed under policy GIP2 as 'Other Green Spaces'. These may not meet the description of Local Green Space as set out in the NPPF but are nevertheless

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considered to be of local significance and value. Plans and descriptions of these spaces are also given in the documents referred to above.

3.4.4.12 Designation of these spaces is supported by the responses to a preliminary survey conducted in late 2020 for revision of the Neighbourhood Plan.

#### **GIP2 – Local Green Spaces and other green areas**

a) The Designated Locations listed in Policy SI1 in the 'Neighbourhood Plan for All Saints, Central, South and part of Thorley – Part 1 Introduction and Site Specific Policies' are designated as 'Local Green Spaces' in accordance with the NPPF. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

b) Development which adjoins a designated Local Green Space (whether designated in East Herts District Plan or the Neighbourhood Plan), must preserve and enhance wildlife corridors to a width to allow sufficient biodiversity and habitat conservation having regard to best practice and advice from Natural England and/or other appropriate expert organisations.

c) There are a number of other areas that have value as green spaces within the urban environment, albeit of less significance than designated Local Green Spaces. These areas are listed in the Designated Locations of policy SI1 in the 'Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish – Part 1 Introduction and Site Specific Policies'. In recognition of their value, for example, as open spaces, landscape features, barriers to noise, pedestrian or cycle routes, or wildlife

pockets or corridors, any development of these 'other green areas' will be permitted only if the value and function to the community of the land will be retained in the development or will be provided on other land within the proximity of the community they serve.

d) Development neighbouring Local Green Spaces and other green areas referred to above (including those designated in East Herts District Plan) should respect entranceways and approaches to these areas and where possible situate buildings to overlook the areas to provide passive surveillance.



3.4.4.13 Increased use of green spaces, particularly during the covid-19 pandemic, has also brought its challenges. Peoples' needs vary with some looking for peace and quiet in an outdoors environment whilst others want to exercise and let off steam. Policy GIP3 seeks to encourage proposals for enhancing green infrastructure for leisure whilst recognising the need to strike a balance between competing uses, including allowing space for nature to thrive.

3.4.4.14 East Herts District Plan policy NE4 describes the range of functions that Green Infrastructure can have and the need for it to be protected and enhanced. It refers in particular to the potential adverse impacts of

providing lighting (which might benefit people) on nocturnal wildlife.

3.4.4.15 The River Stort is a great asset for the town but is under-used as a landscape feature and for leisure use, a view raised consistently by local residents. Whilst steps have been taken to rectify this situation in recent years, more could be done for which Policy GIP3 welcomes proposals.

3.4.4.16 Waterside Stortford is a collaboration between the County, District and Town Councils and other local and environmental stakeholders. It has established a riverside and countryside trail along the River Stort from the relatively new Bat Willow Hurst Country Park at the northern extent of the town to Thorley Wash Nature Reserve in the south. Signboards have been erected along the route but there are sections where accessibility could be improved (for example for buggies and wheelchairs).

3.4.4.17 The River Stort Partnership is hosted by Herts and Middlesex Wildlife Trust and comprises public, private and charitable organisations with interests in the river. Its aim is to improve the river for wildlife and people and in order to promote this has prepared the River Stort Catchment Management Plan. The plan identifies a number of projects aimed at improving the natural environment and opportunities for people to enjoy it. One such is the Towpath Project which is described as one of several 'to help improve and activate the Stort at Bishop's Stortford' and proposes to provide a new towpath surface for shared use. Another is the Stort Navigation Reedbed project which aims to restore and connect habitats up and downstream of the town.

3.4.4.18 The Stort is a globally rare habitat and the Town Council has committed in its Constitutional Policies 4.4 conservation of its

habitat and promotion of biodiversity in its activities.



**GIP3 – Improve green infrastructure for leisure**

a) Proposals that seek to improve the use of existing and new green infrastructure will be supported subject to the proposals achieving a balance between its potentially conflicting range of uses (such as for recreation, exercise, peace and quiet and space for nature) and compliance with other policies. Such proposals could include:

- Provision of seating, preferably from natural products
- Improved signage
- Weather-protected information boards
- Facilities to support guided visits for schools, e.g. mooring points, hides and study centres

b) Proposals that seek to improve the leisure usage of the River Stort and that are compliant with the aims of the Stort Catchment Plan and the River Lea Catchment Partnership and Waterside Stortford will be supported subject to compliance with other policies. Such proposals could include;

- improvement of the canal and riverside paths,
- access and signage and
- biodiversity enhancement initiatives.

3.4.4.19 It is increasingly being recognised that green infrastructure needs to be maintained well and considered as a network rather than as isolated pockets. It is only in treating it as a network that its full potential can be realised, providing for example, routes for people to walk or cycle from place to place away from traffic, connections to the countryside, and passage for wildlife. Policy GIP4 requires developers to take this into account in their design and management proposals.

3.4.4.20 The NPPF recognises this in clause 175 requiring that plans should: '... *take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure....*'

3.4.4.21 Similarly, the District Plan 2018 Policy NE4 refers to Green Infrastructure as: '*A diverse network of accessible, multi-functional green infrastructure across the district*' and requires that development proposals should:

- '*Avoid the loss, fragmentation and functionality of the green infrastructure network, including within the built environment, such as access to urban waterways.*' And
- '*Maximise opportunities for improvement to the green infrastructure network in accordance with the Council's Green Infrastructure Plan, its Parks and Open Spaces Strategy, the Hertfordshire Biodiversity Action Plan, Living Landscape Schemes, locally identified Nature Improvement Areas and any future relevant plans and programmes as appropriate.*'

#### **GIP4 – Green space management and building the green infrastructure networks**

a) Developers will be expected to cooperate with the establishment of appropriate long-

term arrangements for the management of green infrastructure which forms part of any major development. The developer will, where appropriate, be required to provide financial contributions to support initial costs and/or transfer land to an appropriate body, by agreement with the planning authority. These obligations will be set in line with District Plan policy DEL2.

b) Where green infrastructure is being provided on new developments which are adjoining or proximate to existing designated Local Green Spaces (whether designated in East Herts District Plan or the Neighbourhood Plan), the design and nature of the development green infrastructure and its management arrangements shall be coordinated with those of the Local Green Space.

c) Where appropriate and feasible, development shall incorporate a network of spaces and corridors for wildlife to move across the site and into the networks in the surrounding areas.

#### **3.4.5 Objective: Protect and enhance wildlife and biodiversity, including the River Stort**

3.4.5.1 It is widely accepted that the biodiversity of nature in our environment has been degraded over many years and that we need to enhance what remains.

Hertfordshire's State of Nature report 2020, produced by Herts & Middlesex Wildlife Trust and based on recording of species since 1970, identified 20% of Hertfordshire's species as being of 'conservation concern'. Half of these have been subject to population decline, including some that have become extinct in the County during that period or are considered to be threatened.

3.4.5.2 Nationally, Government has recognised the ongoing decline of habitats

and species and have responded with the Environment Act (2021). The Act includes proposals for a mandatory net biodiversity gain on development sites with a 10% targeted increase.

3.4.5.3 East Herts District Council adopted its Sustainability SPD in March 2021. The SPD includes a chapter on biodiversity outlining the emphasis in the District Plan 2018 on delivering a net gain in biodiversity across East Hertfordshire. It notes that, whilst major development offers the greatest opportunities for large-scale biodiversity net gain, enhancing biodiversity can be delivered at a variety of scales, from householder applications right up to large urban extensions. The SPD describes ways in which this can be achieved and requires that an agreed biodiversity metric calculation should be used to assess the impact of the development. It states that a minimum 10% net gain in ecological units should be achieved.

3.4.5.4 Hertfordshire County Council's Sustainable Hertfordshire Strategy 2020 aims to improve biodiversity on County Council land by 20% by 2030, a more ambitious target than that set in the Environment Act and in East Herts SPD. The strategy also includes the County's ambition to improve wildlife countryside by 20% by 2050.

3.4.5.5 If the County's objectives are to be achieved, new development needs to play its part. In support of these initiatives, Policy GIP5 requires developers to make increased provision for wildlife habitats and biodiversity in their proposals for sites in Bishop's Stortford from the outset of the design process.

3.4.5.6 Hertfordshire Local Nature Partnership, Herts Environmental Records Centre and Herts and Middlesex Wildlife Trust

have produced 'Guidance on applying 'Hertfordshire Ecological Networks' within the planning system'. This will help developers and their consultants identify sites and species for ecological enhancement. Appendix 1 in this document provides a county wide image of ecological data. The map shows areas of Bishop's Stortford that are high or medium priority for habitat creation as well as habitat that falls under the protection of S41 of the Natural Environment and Rural Communities Act 2006. Updated and site specific information and guidance can be obtained from the bodies referred to above in addition to that available on the DEFRA Magic natural environmental data website (<https://magic.defra.gov.uk>).

3.4.5.7 Local interest and involvement in biodiversity enrichment is evidenced by Southern Country Park on the south west edge of the town. The country park was created as mitigation for St Michael's Mead housing scheme. It is owned by East Herts District Council and maintained by Herts County Council's Countryside Management Service with local assistance provided by a 20 strong volunteer group from the Friends of Southern Country Park.

3.4.5.8 The park is managed for people and nature. In 2020 an area of amenity grass was harrowed and re-seeded with wildflower seed. In previous years, disease resistant elms have been planted to contribute to recovery of this tree species and encourage white-hairstreak butterflies.

3.4.5.9 The Aims and Objectives for the Southern Country Park as outlined in its Greenspace Action Plan 2018-2023 include the following:

- Manage the plantations to maximise biodiversity

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- Improve the diversity and wildlife value of grassland habitats
- Protect and enhance the valuable aquatic habitats to improve biodiversity
- Manage the hedgerows to maximise biodiversity

3.4.5.10 Wildlife surveys to monitor progress and help determine future actions are undertaken by Herts and Middlesex Wildlife Trust, East Herts' contractors and the Friends group.

3.4.5.11 Another local scheme is the Firs Greenspace Action Plan 2017-2022 which covers a historic avenue of trees and grassland to the west of the town centre, the aims of which include protecting and enhancing its biodiversity.

3.4.5.12 Other sites that could offer opportunities for biodiversity enhancement include school playing fields, verges and some of the smaller green spaces within the older housing estates. More flexible management of grassed areas, with some areas left unmown, and creation of wildflower meadows can provide enhancement of biodiversity at relatively little cost.

3.4.5.13 Trees along the verges of streets and paths provide a range of benefits including enhancing the street scene, providing shading and extending the network of green infrastructure for wildlife. Examples in Bishop's Stortford include Thorley Hill, Thorley Park Road and, of more recent construction, Mercers Avenue on St Michael's Mead. Designs that incorporate these features in development as part of green infrastructure provision will be welcomed, as will initiatives by residents to promote tree planting on existing streets where there is adequate space and maintaining authorities are supportive.



### **GIP5 – Protect wildlife and increase biodiversity**

a) In any new development, mature trees and hedgerows shall be retained as far as practical. New planting and other initiatives shall be incorporated as an integral part of the scheme to promote biodiversity. New hedgerow planting should contain a variety of species appropriate to the area. Woodland planting must accord with the appropriate National Vegetation Classification (NVC). Existing mature trees should continue to be part of any development proposal unless it is demonstrated that it is necessary for them to be felled or an arboricultural survey clearly demonstrates that they are not worthy of retention. Replacement tree planting should be undertaken on a minimum of a one-for-one basis. Native species must always be given preference as plants of local origin tend to establish and survive better and support more wildlife. Monocultures should be avoided.

b) Watercourses are a vital asset and therefore must be retained as part of any development affecting them, and enhanced for biodiversity. Proposals must show how the watercourse is to be incorporated as a vital asset within a development but must also ensure that wherever possible an appropriate buffer zone is incorporated between the built form and the watercourse unless circumstances dictate otherwise. Only native species may be planted in the buffer zone. Where possible, the re-naturalisation of

modified watercourses will be expected. A new development that may result in deterioration of an existing watercourse will not be supported.

c) Where significant new development restricts natural habitats, corridors for wildlife movement will be protected or created in order to benefit local biodiversity. The design of wildlife corridors will have regard to current best practice and advice from Natural England and/or other appropriate expert organisations.

d) In order to protect and enhance wildlife in the area and to increase biodiversity, opportunities to incorporate new wildlife habitats and routes of passage of wildlife (for example bat and bird boxes and holes or gaps in fences for hedgehogs) into significant new developments must be sought. Features for bats and birds must be integrated into the fabric of buildings of new development to ensure permanent gains. All building bordering green space will be expected to incorporate integrated features for wildlife. Guidance should be sought from Natural England where habitats of wildlife and protected species (e.g. badgers) are affected.

e) Assessment of biodiversity gain shall be in accordance with the Environment Act 2021.

f) The minimum net gain shall be 10% in ecological units or biodiversity value respectively.

g) If it is not feasible or proportionate for a development to achieve the required 10% increase in biodiversity value on-site alone, compensation, which in most cases should be a last resort, should, if possible, take the form of increasing biodiversity at location(s) off-site within the Neighbourhood Plan area or on nearby land. Publicly owned land within Bishop's Stortford should be considered preferentially for siting of biodiversity offsets to provide the net increase required by clause

f) above subject to agreement being obtained with the public body responsible for the land in question.

i) Development proposals should include an assessment of the following undertaken by a competent ecologist:

- an assessment of existing habitats and biodiversity value of the site,
- proposals for retaining and enhancing existing habitats and for achieving the meaningful increase required by clause f above,
- assessment of the resilience of the improved biodiversity to climate change,
- and proposals for long term maintenance of habitats during and post completion of the development,
- proposals for measuring and monitoring compliance.
- recommendations for managing green infrastructure in ways that would enhance biodiversity.

### 3.4.6 Objective: Protect and enhance access and connections to green infrastructure and the surrounding countryside and the River Stort

3.4.6.1 The benefits to health and wellbeing of walking and cycling have been appreciated by many people during the covid-19 pandemic; particularly so when the available routes enable them to enjoy green spaces and nature.

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3.4.6.2 The Neighbourhood Area provides many opportunities for walking, riding and cycling but the existing green spaces are not as well known or used as much as they could be. Whilst some progress has been made in the last 5 years, there remains a need for further improvement of existing footpaths and cycle paths, a requirement to improve the linkages or connections between them into and across the town and into the countryside, and for improved signage and promotion.

3.4.6.3 Furthermore the substantial expansion of Bishop's Stortford provided for in the District Plan 2018 is resulting in a number of rights of way and other paths being enclosed by development, reducing the enjoyment and sense of closeness to nature they give. The loss could be mitigated by keeping paths as open as possible and by incorporating space for nature such as wide verges and hedges and trees along the way.

3.4.6.4 Safe and attractive routes are essential for children to get to school and to encourage people to walk or cycle to local facilities and the town rather than get in a car. In earlier developed areas this can be difficult to achieve but in new development it should be a priority.

3.4.6.5 For example, in the older residential estates on the western, Thorley side of the town, many of the footpaths away from the roads are narrow, dark and enclosed by high garden fences. They are uninviting and potentially unsafe. On the other hand, the footpath/cycleway on the St Michael's Mead development that links this residential area with Manor Fields Primary School is a good example of a wider route with grass verges and trees at intervals.

3.4.6.6 Proposals that facilitate improved or new connections between existing and proposed developments, green spaces and the surrounding countryside will be supported.

3.4.6.7 New initiatives should complement the Rights of Way Improvement Plan (ROWIP) prepared by Herts County Council Rights of Way Service for the period 2017/18 to 2027/28 dated July 2017 or updated version at the time of the application and take account of Department of Environment, Food & Rural Affairs Rights of Way circular 1/09 Guidance for Local Authorities. The routes of rights of way can conveniently be found at [www.rowmaps.com](http://www.rowmaps.com).



3.4.6.8 Where appropriate, paths should connect with the Waterside Stortford's trail and the Parks and Beyond circular walks which take in five of East Herts managed open spaces in Bishop's Stortford.

3.4.6.9 Development of new areas can compromise the enjoyment people get from the rural character of footpaths. Developers should retain as much as possible of the rural nature of country paths within their sites.

#### **GIP6 – Enhancement of footpaths, bridleways and cycle paths**

Working with local and national associations such as the Bishop's Stortford & District Footpaths Association, East Herts Ramblers, East Herts Footpaths Society and the British Horse Society, proposals to ensure that existing footpaths and bridleways are well maintained and signposted and that new footpaths are created and officially designated will be supported.

b) The character and setting of existing public rights of way (PROWs) must be protected in terms of safety, directness, attractiveness, convenience and rural ambience. No new obstructions to PROWs should be introduced and any amendments should follow the guidelines in the relevant Department of Environment, Food & Rural Affairs (DEFRA) Rights of Way circular 1/09 Guidance for Local Authorities version 2 dated October 2009 or as updated at the time of the application.

c) Bridleways for horse riders should be protected and proposals should seek, where possible, to create new cycle paths so as to provide safe and effective routes across the Neighbourhood Area. New and existing cycle tracks should be linked with the National Cycle Network where possible.

d) Footpaths across the Neighbourhood Area should provide an accessible and safe way for all residents and visitors to enjoy the rural hinterland of Bishop's Stortford. Footpaths should use surfaces appropriate to the habitat: tarmac in well-used routes; well-drained and overlaid with bark for more rural settings and none for casual paths across grassy spaces.

e) As part of any major development proposal, developers should identify deficiencies in existing PROW and other pedestrian and cycleway links within the area surrounding a site that would be used by future occupiers. Where possible, proposals should incorporate measures to maintain and enhance this network.

f) Proposals for the improvement of access to public green spaces will be supported (including access for those in wheelchairs and scooters, those who are frail and unable to walk in a robust manner and those with babies in buggies). Measures to regrade paths through the green spaces for this purpose will be supported.

### 3.4.7 Objective: Provide essential community facilities

3.4.7.1 Most allotments in Bishop's Stortford are currently managed by the Town Council. Demand has outstripped supply in recent times and residents can find themselves waiting for many months for a plot on the more popular sites, despite efforts over recent years to manage demand by reducing plot size and evicting tenants who do not tend plots adequately.

3.4.7.2 New development will cause the demand to increase which must be matched by increased supply. Allotment holders and considerations of sustainability favour allotments close to the communities they serve.

3.4.7.3 Town Council policy BSP010 sets out the rationale and standards for developer contributions and the justification for the rate of contribution. This rate caters for the demand expected from the new build only (based on the rate of demand actually experienced elsewhere in the Town) and does not attempt to deal with the existing deficiency.

3.4.7.4 At the time of writing, Policy BSP010 states that allotments should normally be provided on site for developments of 500 homes or greater. The previous neighbourhood plan polices allowed developers of smaller sites to make a financial contribution instead. This can result in under-supply of allotments for new residents. To address this issue, policy GIP7 is amended to require allotments to be provided on sites for developments of 350 homes or greater. At the land provision rate of 0.24ha per 1,000 population stipulated, the smallest allotment site would be approximately 0.2 ha.



3.4.7.5 Community orchards have increased in popularity in recent years. The East of England Apples and Orchards Project lists many community orchards in Hertfordshire and Essex which, it reports, can range in size from a dozen trees to more than a 100, most of which are managed primarily for amenity value and for the benefit of local wildlife.

3.4.7.6 A few of these within 30 miles or so of Bishop's Stortford are described below:

- Rivers Heritage Site and Orchard, Sawbridgeworth: based on a historic garden nursery site with about 560 trees, on land leased to Sawbridgeworth Council.
- Ongar Community Orchard: a converted, small disused allotment owned by Epping District Council, planted with 25 fruit trees and wild flowers.
- Great Chesterford Community Orchard: promoted by the Parish Council and based on land donated to the community from a Section 106 agreement, planted in 2017 and 2018 with over 100 trees.
- Roydon Community Orchard: a small orchard planted in 1995 on unused allotment plots maintained by the Roydon Society on land owned by the Parish Council.

3.4.7.7 It can be seen that community orchards can take various forms and operate under a variety of structures.

3.4.7.8 Consultations during preparation of the neighbourhood plan revisions have shown that there is interest in setting up an orchard in Bishop's Stortford and people who would like to volunteer to help run it. Policy GIP7 supports the creation of such a facility if a suitable site can be found. If this is arranged as part of a larger development, the orchard could form part of the development's green infrastructure and contribute to increasing biodiversity of the site.



### **GIP7 – Improving/expanding allotments**

a) To support the population increase arising from new developments, developers of 10 residential units or more will be required to either:

- Provide space with appropriate facilities for new allotments or
- Contribute towards the expansion and/or improvement of existing allotments.

b) For developments in excess of 350 dwellings (or groups of adjacent developments which together amount to more than 350 dwellings) it will be expected that land either on or immediately adjacent to the development site is provided, unless there are clear over-riding site specific constraints or other planning policy requirements that take priority. The land shall be prepared by the developers (including facilities, fencing, land

preparation, soil improvement if required) and transferred to the allotment authority (currently the Town Council) at no cost. The provision of space for new allotments will be at the rate of 0.24ha per 1,000 population. Vehicular access will be required and the site must be chosen accordingly.

c) For smaller developments it will normally be expected that contributions will be made towards existing allotments. Where there is available land – particularly where it is part of the proposed development area – this could include the expansion of the existing allotments. Financial contributions will be calculated based on the cost of acquiring and facilitating space at the same rate as for on-site provision.

d) Proposals for creation of a community orchard for Bishop's Stortford as part of a large development or as a stand-alone development will be supported subject to the following:

- That community support for running such a facility (including the establishment of an appropriately constituted volunteer group committed to being actively involved) has been demonstrated to the satisfaction of the Town Council.
- That the land on which the orchard is to be established is appropriately located for its intended use.
- That, if it is part of other development, it is additional to provision of allotments in accordance with the preceding clauses.

### **3.4.8 Objective: Maintain and enhance the flood mitigation function of green infrastructure**

3.4.8.1 It is widely considered that flood risk is increasing due to climate change. In addition, it is more appreciated that flooding can arise from several different sources

whereas previously consideration of the risk at inland locations was largely focussed on flooding from rivers. When flooding does occur the costs and disruption can be high and distressing to property owners.

3.4.8.2 While the River Stort provides a wide variety of opportunities for leisure activities and is a key feature of the town, it also creates a flood hazard which must be well managed and not exacerbated by new development.

3.4.8.3 The 'flood map for planning' showing the likelihood of fluvial flooding on the GOVUK website, when viewed in January 2021, shows significant areas of the town in flood zones 2 and 3 (between 1% and 0.1% and greater than 1% annual probability of flooding respectively).

3.4.8.4 Some residential, institutional and commercial properties are shown to be at risk, mostly in flood zone 2.

3.4.8.5 Flood maps in East Herts District Council's Level 1 and 2 Strategic Flood Risk Assessment – Historic Flood Map and Flood Zones Final Addendum March 2017 show a similar extent of flood risk areas and flood zones whilst additionally identifying functional flood plain where water has to flow or be stored in times of flood.

3.4.8.6 The Historical Flood Map shows areas of flooding along the River Stort that cover similar areas to the flood zone map, confirming the reality of the risk. Another map shows the potential for the increase in flood risk resulting from possible climate change scenarios, these mainly impacting on the northern part of the river flood plain.

3.4.8.7 The SFRA also produced a map of 30, 100 and 1000 year surface water flood extents. These show extensive areas at risk of flooding for all three probabilities that would affect infrastructure and property.

3.4.8.8 A recent occurrence makes the point. In August 2020, heavy rain resulted in Dane Street being closed and flood water in South Street “lapping at the doors of shops” (Bishop’s Stortford Independent 14 August 2020).

3.4.8.9 The valley of the River Stort through the town is steep sided exacerbating the risk to property in the lower valley floor. It is essential therefore that new development, which is often sited on the higher ground, avoids increasing flood risk by limiting its surface water discharges.

3.4.8.10 Green infrastructure can be used to provide sustainable surface water drainage and flood risk management in a way that has multiple benefits. In particular, ponds and open watercourses are more sustainable to construct; blockages and other problems are more readily identified and remedied; in general they are easier to modify or enlarge if changes (for example in climate predictions) make it desirable; and they provide many of the same benefits for the community and nature as other green infrastructure.

3.4.8.11 Southern Country Park on the south west side of the town is a good example of this on a large scale. Its lake provides essential water attenuation and flood risk management functions and captures pollutants and silt from upstream drainage systems. At the same time, it has become a wonderful recreational and wildlife asset as described in East Herts Southern Country Park Greenspace Action Plan 2018-2023 and recognised by its Green Flag Award.

#### **GIP8 – Flood mitigation**

a) Development will only be permitted in Flood Zones 2 or 3 (as defined by the Lead Local Flood Authority (LLFA) or other responsible authority) where it has been demonstrated that it meets the requirements

of the NPPF in relation to the Sequential Test and the Exception Test and a site specific flood risk assessment, or other tests specified by the Lead Local Flood Authority and in the District Plan have demonstrated that the risk of flooding has been minimised and reduced where possible and that any residual flood risk can be safely managed. Flood risk assessments must include climate change allowances in accordance with national guidance on river flows and rainfall intensity.

b) All development must comply with or exceed the minimum standards for flood risk protection and mitigation from all sources of flooding required by the LLFA and its strategy and policies given in LFRMS 2 2019-2029 dated 18 February 2019 or as updated at the time of the application.

c) Development will be permitted only if it protects and maintains the run-off control and flood risk mitigation functions of existing green infrastructure and shall utilise existing and/or new green infrastructure to provide sustainable above ground solutions for its own drainage unless it can be clearly demonstrated

- that this is not technically or operationally viable and that any surface water drainage issues resulting from the development can be alternatively mitigated;
- or that it would adversely affect the environment or safety.

d) Where ponds or basins are used to provide control of run-off and flood risk mitigation, they must be designed to have permanent open water features to provide increased biodiversity unless demonstrably contrary to LLFA’s requirements for drainage of the development. Developers should consider centralising drainage attenuation and flood risk mitigation infrastructure where feasible, for example in relation to the topography of the site and the scale of the development, to

create lakes or large ponds that can be incorporated into parks (for example as at Southern Country Park) for the wide range of environmental and recreational benefits and less fragmented management arrangements that can be achieved.

## 3.5 TRANSPORT

### 3.5.1 Introduction

3.5.1.1 Transport has a vital role to play in facilitating the future sustainable development of Bishop's Stortford. With significant housing and population growth now committed for the Plan period it is essential that the revised Neighbourhood Plan supports the objectives of the District Plan and HCC's Transport Plans, both revised in 2018, to address the challenges that this will bring.

3.5.1.2 The initial consultation carried out for these revisions showed that 90% of respondents believe that problems have continued to get worse in the past 5 years and that the main cause of this is the traffic impact of new development in and around the town – mentioned by 80% of respondents. Other concerns, cited by more than half of respondents, were the increasing use of residents' vehicles, the lack of safe cycle routes and footpaths, on-street parking and the resulting problems of air quality and the impact of constant construction roadworks. More than one-third of residents are also concerned about resulting increases in rat-running in residential areas to avoid congestion.

3.5.1.3 High levels of car ownership and use and an underdeveloped sustainable travel network have contributed to a reliance on car transport in the area and resulting congestion at peak periods. The strategic transport context within which the traffic impact of

major development in Bishops Stortford must be considered was set out in the East Herts District Plan Support document TRA 001 prepared in January 2017 and based on HCC's Comet and Essex CC's transport models and showed the challenges facing the strategic traffic impact of development on the town. It showed the overwhelming east, south-east and north-east bound direction of a.m. peak outbound and p.m. peak inbound trips, because *"the town has a close interaction with the A120 (towards Essex) and M11 corridors .. (and) ... the interaction with the rest of the district is relatively limited."*

3.5.1.4 Figure 2 plotting a.m. peak outbound trips from Bishop's Stortford – abstracted from TRA001 - clearly shows:

- That the greatest existing (a.m.) peak outbound movements are eastbound to M11 J8 and Stansted Airport;
- The very limited use of the western/northern by-pass to either westbound destinations or by-passing the town to reach destinations to the east, south or north;
- The creation of London Road/Thorley Street / Pig Lane / Hallingbury Road / Beldams Lane / Dunmow Road (or Church Road, Uttlesford) as an informal south-eastern 'rat-run-by-pass' route to J8 and Stansted Airport – with flows significantly greater than the western by-pass;
- Significant northbound movement via Stansted Road and southbound via London Road towards Harlow and routing through the town centre and Hockerill junction.

Figure 2 excludes inbound commuter traffic to the town centre and mainline rail station and school trips which further compound the existing level of congestion in and around the town. The potential for significant traffic impacts of development under construction

and committed – nearly all of which is to the west, south or in the centre of town – and the need for major highway capacity improvements, mitigation and modal shift are therefore among the major challenges for the Neighbourhood Plan.

3.5.1.5 Community concern about the traffic impact of new development has also been reflected in the level of objections about congestion, accessibility, parking, cycle and footpath access, bus services and other transport issues expressed at project exhibitions, masterplan meetings and in objections to development applications. For example, 1,433 objections were made to the Bishop's Stortford South application in 2018 – most including transport objections. Nevertheless, the consent granted required no mitigation of network impacts on existing residents and there is public concern about the lack of response to community consultation and of the opportunity to bring local knowledge of traffic issues to the scoping of transport assessments.

3.5.1.6 NPPF paragraph 40 requires local planning authorities to *"encourage applicants ... to engage with the local community and ... non-statutory consultees, before submitting their applications"*. District Plan policy DES1 now therefore requires masterplans to be prepared and approved before significant applications are made to *"be collaboratively prepared, involving ... town and parish councils and other relevant key stakeholders ... (and) ... informed by public participation."* Transport policies in the Neighbourhood Plan will encourage direct community collaboration in the earliest stages of masterplan-making, scoping of transport assessments and identifying mitigation measures.

3.5.1.7 Finally, there is also significant concern that, since the making of the current Neighbourhood Plan, the adoption of the East

Herts District Plan; HCC's Local Transport Plan 4 and the associated preparation of a draft Growth and Transport Plan for the Eastern Herts corridor (EAGTP); and EHC's Transport Options Study for Bishop's Stortford, have not provided a clear Transport Strategy for a town under significant development pressure. Whilst these plans have set challenging – and widely supported – sustainable travel objectives, they do not provide a clear or achievable strategy to improve accessibility and connectivity. What is required is a strategy for the town's transport improvement to manage vehicular traffic while supporting modal shift to improve accessibility and connectivity.

3.5.1.8 It is not the role of the Neighbourhood Plan to set a sustainable transport strategy for the town but in response to these plans – and in particular to the emerging EAGTP - the community has advocated making use of the existing capacity of the by-pass to better manage strategic traffic demand through the Eastern Area corridor, inter-town and even intra-town movements between the growth origins and destinations. This also creates an opportunity to reduce travel demand on the remaining town network and to mitigate impacts, calm traffic and provide capacity for sustainable walking, cycling and improved bus services on the town networks.

3.5.1.9 The Neighbourhood Plan therefore advocates and supports policies which promote this strategic approach and set out strategic transport priorities for developer contributions and other investments which make best use of the existing capacity, mitigate and manage travel demand arising from new development and invest in routes for walkers and cyclists into and within the town centre to encourage modal shift.

### 3.5.2 Objectives

3.5.2.1 The objectives underlying the policies in this chapter are to:

- Support solutions to congestion and poor air quality
- Create and promote sustainable travel networks
- Provide vehicle and cycle parking to support sustainable travel objectives
- Manage traffic speeds and promote road safety
- Contribute to Improve town accessibility and connectivity.

### 3.5.3 Objective: Support solutions to congestion and poor air quality

3.5.3.1 Traffic, parking and other transport problems were one of the key issues for the existing Neighbourhood Plan. The initial consultation carried out for this revision cycle showed that 80% of respondents believed the traffic impact of new development in and around the town has deteriorated in the last 5 years. There is also concern about the lack of response to community consultation on this and on the mitigation of impacts.



**Figure 2: AM Peak Outbound Trips from Bishop's Stortford** (East Hertfordshire Local Plan Support- Do Minimum Model Run Report, January 2017, [part of] Figure 32)

3.5.3.2 It was recognised in the transport assessments for the District Plan that major developments now under construction in the town and in the adjacent District of Uttlesford (the southernmost settlements of which look to Bishop's Stortford as the local shopping, leisure, education and rail hub) and the permitted growth of Stansted Airport will significantly increase the demand on the constrained road network of the town including a number of routes and hotspots that experience high levels of congestion at peak times.

3.5.3.3 The NPPF 2021 provides clear sustainable transport policy guidance for plan-making and decision-taking including at:

- Paragraph 104 which says that transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed; opportunities to promote walking, cycling and public transport use are identified and pursued; and the impacts of traffic can be identified, assessed and taken into account – “including appropriate opportunities for avoiding and mitigating adverse effects”.
- Paragraph 105 which says that “development should be focused on locations which are or can be made sustainable”. This recognises that locations can be made (more) sustainable by mitigation.
- Paragraph 110 which says that, in assessing applications for development, it should be ensured that opportunities to promote sustainable transport modes can be – or

have been – taken up and that any significant impacts on the transport network (in terms of capacity and congestion) or highway safety, can be cost effectively mitigated to an acceptable degree. It is clear therefore that transport impact assessments should be able to demonstrate that sustainable modes shifts have been included and proposed mitigation measures assessed to establish that residual capacity, congestion and safety impacts can be acceptably mitigated.

- Paragraph 111 which says that development may be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or “the residual cumulative impacts on the road network would be severe”. The ‘residual’ impact is after mitigation measures and ‘cumulative’ impact is inclusive of impacts of all other committed developments impacting the assessed network have been taken into account in the traffic impact assessment. The requirement to prevent or refuse development on highways grounds if the conditions of paragraph 111 are met is absolute and does not form part of a ‘planning balance’ assessment of the application.

3.5.3.4 The East Herts District Plan adopted in December 2018 now contains only three transport policies. TR1 promotes sustainable transport taking account of the Local Transport Plan. Policy TRA2 reflects the general provisions of the NPPF on assessment of the impacts of development proposals in terms of acceptability in safety terms and repeats that development should not *“result in any severe residual cumulative impact”* without setting out how this is defined or assessed. TRA2(c) however adds an important

policy on not having “a significant detrimental effect on the character of the local environment”. This reflects LTP4 policy 5 on affecting the rural or residential character of a road but explains that *“mitigation measures should not only achieve their transport objective but also respect the character of the area and not have a significant adverse effect on the wider environment and the amenity of local residents, e.g. through unacceptable trip generation levels, displacement parking, etc.”* Policy DES1 on masterplanning also highlights the importance of considering transport issues from the earliest stages of plan-making and development proposals and with the involvement of the local community. DES1(II) says that *“The Masterplan will be collaboratively prepared, involving ... town and parish councils and other relevant key stakeholders. The Masterplan will be further informed by public participation.”*

3.5.3.5 HCC’s Local Transport Plan 4 was adopted in May 2018 and now provides 23 updated transport policies which will apply throughout the Neighbourhood Plan Area; guidance on transport assessments and Travel Plans, including the application of a new User Hierarchy to assess applications and mitigation and prioritise transport investments; and sets out a programme of Growth and Transport Plan (GTP) preparation (including one for Eastern Herts covering transport investment in the Neighbourhood Plan Area). Key policies on assessment of transport impacts include:

- **Policy 1** on the creation of a Transport User Hierarchy to encourage greater use of sustainable transport modes by applying it to assess developments and transport investments in the following priority order:
  - Reduce travel demand
  - Pedestrians and cyclists

- Passenger transport users
- Powered 2-wheeler users
- All other motor vehicle users
- **Policy 5** on Development Management including application of the LTP Transport User Hierarchy(5a); mitigation and resisting “development where the residual cumulative impact of development is considered to be severe” (5d); and resisting “development that would ... severely affect the rural or residential character of a road or ... affect safety on rural roads, local roads and rights of way especially for vulnerable road users” (5g)

Since the LTP, unlike the Neighbourhood Plan, does not form part of the statutory Development Plan, LTP policies which are key to the delivery of Neighbourhood Plan objectives will be incorporated where appropriate.

3.5.3.6 In view of continuing community concern about the transport impact of new development it is important that this revision of the Neighbourhood Plan should adopt policies which reinforce and operationalise NPPF, District Plan and LTP4 policies on assessment and mitigation of development proposals and masterplanning which have all been adopted since the existing Neighbourhood Plan was made.

3.5.3.7 Policy TP1 therefore amends the approach of TP1 in the existing Neighbourhood Plan to require Transport Assessments, Transport Statements and Travel Plans to assess impacts based on DfT and HCC guidance with the scope of the assessment agreed by the organisations collaboratively preparing the Masterplan as identified in District Plan Policy DES1. The assessment should be based on a local Transport Evidence Base in line with National Planning Practice Guidance, which draws on current local traffic

surveys, reference modelling of locally agreed junctions and networks and existing modelling data and results from assessments of committed developments including those impacting the local network from areas and Districts surrounding the Neighbourhood Plan Area. In the event the assessment shows that the proposed development has a significant cumulative impact on network capacity and congestion, it should go on to identify mitigation measures and demonstrate how they will mitigate impacts to an acceptable degree. If the residual cumulative impact is still severe then development should be refused on highways grounds in line with NPPF guidance.

3.5.3.8 The revised Neighbourhood Plan also introduce a new policy which focuses on the traffic impacts of development on the amenity of existing residents. Existing assessment approaches focus primarily on the peak hour capacity of junctions and the network, congestion and consequent queuing delays and the safety of road users. Impacts on resident’s amenity and the character of residential streets is affected by queues (which in turn affects resident’s air quality – see Policy TP2) but primarily by increases in the traffic flow – primarily in the peaks but also throughout the day. Transport assessments of capacity and congestion are underpinned by forecasts of flow on all modelled links but the impact of these flows on rural or residential links where existing or potential future flows are high (including known rat-runs) and usually well recognised by the community are either not modelled or not presented in terms of impacts on resident’s amenity. This omission is in spite of recent recognition of the issue in LTP4 Policy 5(g) and District Plan policy TRA2(c). Neighbourhood Plan Policy TP1(e) therefore explicitly requires traffic assessments to consider impacts on and mitigation of the

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amenity or safety of local residents and other vulnerable users such as walkers and cyclists and on the rural or residential character of a road and to resist development where the residual cumulative impacts is severe.

3.5.3.9 Finally it is recognised that the innovative policy TP1(g) of the existing Neighbourhood, which describes a mechanism for monitoring and reviewing conditions and obligations where development consents are granted on major developments, has now been taken up by HCC and applied in conditions and the s106 of the development consents for District Plan policy sites BISH5 and BISH7. The importance of mitigation is recognised throughout the revised current policy TP1 – not only measures applied in response to trip generation from the development site but also mitigation of off-site impacts. Revised policy TP1(f) therefore strengthens the policy on monitoring of impacts and mitigation. The intention of the revised policy is not to be prescriptive in respect of how mitigation is to be achieved, rather it is to be clear as to the circumstances in which mitigations must be considered and included within proposals.



### **TP1 – Assessing transport impacts and mitigation of development on traffic congestion and resident amenity**

a) All major proposed developments shall be supported by a Transport Assessment (for significant developments) or Transport Statement and a Travel Plan which shall

ensure that suitable and safe access can be maintained or achieved by predicting the level of traffic generated, the impacts of this on congestion and the impact on the capacity of the local highway network as required by the DfT's Transport Assessments and Statements Guidance, 2014. The Transport Assessment and Travel Plan shall be carried out as part of the Masterplan process for such developments and the scope shall be agreed by the organisations collaboratively preparing the Masterplan as identified in the District Plan Policy DES1. The Transport Assessment and Travel Plan will also be submitted to support any consequent planning application.

b) Transport modelling undertaken as part of a Transport Assessment will predict traffic flows, delays and queues and the cumulative impact of the development and other committed developments within the local network on junction capacities and resulting local highway network congestion. This should be based on a local Transport Evidence Base developed in line with National Planning Practice Guidance in plan making and decision taking. This shall take due account of actual local conditions including traffic surveys no more than 3 years old, reference modelling of future background traffic levels, transport modelling data and results from committed developments impacting the local network

(including relevant modelling and development data from the adjoining authorities of Essex CC and Uttlesford DC) and employ appropriate junction and network modelling techniques as required by the current Transport Assessment Guidance or as otherwise required by the Highways Authority.

c) In the event that the Transport Assessment shows that the proposed development has a significant cumulative impact (as currently defined in paragraph 110 of the NPPF) on the

transport network in terms of capacity and congestion, the assessment shall identify and demonstrate how the impacts can be cost effectively mitigated to an acceptable degree. Development shall be prevented or refused on highways grounds if, after any cost-effective mitigation has been demonstrated, the residual cumulative impact on the road network is still considered to be severe.

d) Travel Plan Statements or Full Travel Plans meeting the requirements of Hertfordshire CC's 'Travel Plan Guidance, March 2020' shall be prepared for all developments identified in Appendix A of the Guidance, taking into account the requirements of District Plan Policy TRA1, LTP Policy 5 and the NPPF with regard to sustainable transport. Where appropriate, the Travel Plan shall be based on the results of the Transport Assessment and mitigation plans to inform the objectives, targets and measures in the Plan.

e) Development will also be resisted where the residual impacts of development would either severely affect the amenity of local residents through unacceptable trip generation levels, the rural or residential character of a road or other right of way, or would severely affect safety on rural roads, local roads and rights of way especially for residents and vulnerable road users. This shall include other routes which are important for sustainable transport, active travel or recreational use.

f) In the event that the requirements described in c) and d) are met, the approval of any application for which a Transport Assessment or Statement has been carried out will be conditional upon the establishment of monitoring and review mechanisms contained within appropriate planning conditions or obligations. Prior to the first occupation of the development, the developer will be required to submit a Monitoring Framework Report for

approval to Herts County Council in consultation with East Herts District Council. The monitoring framework shall show how trip generation from the development and its predicted impact on flows and junction capacities will be measured based on the Transport Assessment submitted with the application. A schedule of traffic surveys to be then conducted at incremental levels of the development's occupancy will also be agreed. Periodic Monitoring Reports shall then be submitted to the Highways Authority and where the Report reveals that the number of vehicle movements arising from the development and the predicted impact on flows and junction capacities exceeds the forecasts identified in the Monitoring Framework the developer will be expected to pay a pre-agreed sum of money from a mitigation contingency fund (also pre-agreed).

3.5.3.10 Air Pollution is a public health issue and is of concern to Bishop's Stortford residents with more than half of those responding to the initial consultation survey for revision of the Neighbourhood Plan identifying it as one of the 5 main traffic related problems in the town.

3.5.3.11 The NPPF Para 186 requires planning policies and decisions to *"sustain and contribute towards compliance with relevant limit values and national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, and the cumulative impacts from individual sites in local areas"*.

3.5.3.12 East Herts District Plan December 2018 includes policy EQ4 Air Quality requiring all developments to minimise air quality impacts and include mitigation measures where there are negative impacts; noting that development will not normally be permitted where adequate mitigation cannot be provided.

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3.5.3.13 Policy EQ4 also requires all applications to take account of East Herts Air Quality Planning Guidance Document the current version of which is dated 2016. Whilst the NPPF clause 186, Policy EQ4 and the Air Quality Planning Guidance Clause Appendix 2 clause 4.1 state that cumulative impacts must be taken into account, clauses 4.6 and 4.7 of the latter describe three scenarios where cumulative impacts will occur but suggests likely ways for addressing only the first two of these, both of which involve a single developer or partnership. No methodology is suggested for dealing with a series of unrelated developments. Clause 4.1, however, is clear that assessments must take account of “*cumulative air quality impacts of committed developments (i.e. those with planning permission)*”. The post development air quality analysis must therefore include the cumulative impact of all committed but not yet built developments taking due account of the state of completion of such developments at the time that the pre-development air quality base line condition is established.

3.5.3.14 East Herts Council adopted a Sustainability Supplementary Planning Document (SPD) in March 2021. The SPD will support the implementation of policies in the District Plan including setting out technical guidance.

3.5.3.15 Section 6.1 of the SPD covers air quality and considers emissions from a range of sources, not just traffic, although the latter is acknowledged to be the main source of air pollution in East Herts. Detailed information is given on:

- national and local policy
- the sources and nature of air pollution
- its impacts on health (26,000 – 36,000 deaths every year are estimated by Public

Health England to be attributable to human made air pollution)

- minimum standards required of new development (including air quality neutral status)
- submissions to be made with planning applications
- design (including ‘greening’ – see comment below)
- emissions from transport and prioritising sustainable transport
- mitigation measures, off-setting and planning contributions
- technical requirements for impact assessment

3.5.3.16 Clause 6.30 of the SPD states that “*while there is conflicting evidence as to whether green infrastructure can help reduce concentrations of NO<sub>x</sub>, it is acknowledged that certain types of shrubs and trees are effective for trapping particles.*” Public Health England are said to support green infrastructure provision as an intervention to improve outdoor air quality and public health.

3.5.3.17 Air Quality Management Areas (AQMA) are areas where air quality objectives have been exceeded and which are declared by way of an order issued under Section 83(1) of the Environment Act 1995. Air Quality Action Plans (AQAP) set out how local councils intend to improve the air quality in those areas. Designation of an AQMA is an acknowledgement of concern in relation to public health, particularly with people who are exposed to the conditions therein, such as residents or frequent passers-by. The consequences of living in such an area are increasingly being recognised including a recent Coroners verdict which found that air pollution had made a material contribution to the death of a child in London.

3.5.3.18 Hockerill junction has been designated as an AQMA since 2007. The area concerned is shown on Figure 3 in East Herts Air Quality Planning Guidance 2016 Appendix 1 and encompasses commercial and residential properties around the junction of Dunmow Road, Hockerill Street, London Road and Stansted Road. The area is also a key movement corridor for pedestrians and cyclists accessing the town centre, railway station and local schools. Nitrogen dioxide levels were reported in the first neighbourhood plan as being almost twice the prescribed limit in the European Union Air Quality Directive and in breach of obligations to comply with this standard. The legal annual mean limit is 40 micrograms of NO<sub>2</sub> per cubic metre of air. The 2018 Air Quality Annual Status Report for East Herts which was based in validated statistics from 2017 showed 'distanced corrected' NO<sub>2</sub> levels having fallen closer to the legal limit (the highest levels were 56.3 on London Road and 45.6 on Dunmow Road). This followed a steady reduction in the previous 3 years. It is possible that the annual mean dropped further in 2020 due to the reduction in traffic resulting from the coronavirus pandemic measures. It would be wrong to be complacent about this however as the major developments in Bishop's Stortford will undoubtedly increase traffic at the junction. The AQMA remains in place.

3.5.3.19 Consequently, impact on air quality is a material consideration and should be given significant weight in determining whether:

- Proposed mitigation is capable of achieving no further deterioration in air quality at Hockerill junction.
- Planning permission should be refused.

3.5.3.20 In its Annual Report for 2019/20 Appendix A Summary of Achievements, East

Herts reported that *"the council is committed to improving air quality and tackling air pollution, particularly at Hockerill Junction in Bishop's Stortford. The council has declared this an Air Quality Management Area to coordinate everyone's efforts on tackling the issue"*. The report went on to describe installation of some electric charging points at the council's car park on The Causeway car park as a contribution to tackling the problem.

**TP2 – Improving air quality**

a) All developments will be expected to comply with East Herts District Plan 2018 policy EQ4 whilst taking into account Policies 19 and 20 of LPT4 to increase sustainable travel behaviour and the adopted East Herts Sustainability SPD with assessments (where required) being carried out in line with the SPD as material considerations in improving air quality.

b) The planting of trees in conjunction with new development which reduce or absorb air pollution from traffic will be supported throughout the Neighbourhood Area.

**3.5.4 Objective: Create and promote sustainable travel networks**

3.5.4.1 From the earliest stage of plan-making, consideration of transport issues should identify and pursue opportunities to promote walking, cycling and public transport use, as set out in NPPF paragraph 104. As the town grows it is critical for the community that residents have good access to a wide range of facilities. The proximity of facilities and travel options available to access them will significantly influence whether people use their cars or choose to travel more sustainably, on foot, bicycle or public transport.

3.5.4.2 Whilst it is not always possible to ensure that every new resident is an

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acceptable distance from the full range of facilities, a sustainable development will ensure that the majority of residents are close to the majority of facilities and with sustainable travel routes to access them. This supports paragraph 105 of the NPPF which states that significant development should be in locations which “*are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes*”.

3.5.4.3 For entirely new neighbourhoods, where the facilities are an integral part of the development, this is a matter of layout and masterplanning. For lesser developments which use facilities already present, care must be taken to ensure that pedestrians and cyclists can follow the shortest possible path rather than necessarily following vehicular paths which are frequently circuitous. This may involve the creation or retention of pedestrian/cycleway ‘cut throughs’ for example. For all developments there need to be sustainable travel options for accessing offsite community facilities and green infrastructure.

#### **TP3 – Create walking and cycle friendly neighbourhoods**

a) All major developments should increase the attractiveness of walking and cycling and should:

- Include walking and cycle routes as part of the layout and design, with priority to cyclists at junctions; and should not include the introduction of gated communities without permeability for walkers and cyclists;
- Provide direct routes between housing and community facilities;
- Connect with adjacent routes and key destinations including:

- Routes to enable pedestrians and cyclists to access local green spaces and the countryside around the town
- Routes that support cycle commuting to / from key local destinations including: station, airport; Stansted Mountfitchet; the Hadhams; Ware; Harlow; Sawbridgeworth; Canfield /Takeley.

- Make a financial contribution towards signage for routes to community facilities and key destinations.
- Ensure routes are accessible for people using wheelchairs or mobility scooters.

b) To ensure new communities are walkable, development proposals, unless demonstrably impractical, should apply the following Department for Transport (DfT) guidelines and adopt measures to achieve the following reasonable walking distances between housing and new and/or existing community facilities:

- Bus Stops (from which key services can be accessed within 30 minutes) – 400m
- Food Store – 800m
- Primary School – 800m
- Doctors – 800m
- Local Play Areas – 800m
- Secondary School – 1000m

In line with EHDC’s Sustainability SPD, a maximum walking distance of 800m from Bishop’s Stortford station is sought.

c) Major schemes should provide for the early implementation of sustainable travel infrastructure to enable sustainable travel patterns to be established from the outset of occupation.

d) Developers of major schemes will be expected to outline any deviation from these guidelines and justify such deviation and the

impact of the design on sustainability of travel options within the site and between the site and the surrounding area.



3.5.4.4 Despite the relatively compact nature of the town, cycling and walking are underused modes. This is due to poor cycling infrastructure, narrow streets and pavements, high traffic flows resulting in perceived safety issues, the topography of the town and high levels of car ownership. The availability of e-bikes has made cycling a realistic option in the town.

3.5.4.5 In order to give people real choice about travelling sustainably, as required by paragraph 105 of the NPPF, cycle routes will need to feel safe throughout an entire journey, with parking available at key destinations. Whilst promotion of cycling and walking through Smarter Choices Campaigns is important we also need to build a high quality, safe and convenient cycling and walking infrastructure throughout the town.

3.5.4.6 The provision of routes and paths that connect people with key destinations throughout the town will make a significant contribution to mitigating traffic and congestion challenges as the town's population grows as well as bringing health and environmental benefits. Therefore, an ambition for the town is that all key destinations are connected by a direct, legible and integrated network of walking and cycling

routes. The policies that follow seek to maximise opportunities to achieve this.



**TP4 – Develop a connected town for pedestrians and cyclists with priority for pedestrians, cyclists and public transport in the town centre**

a) Any major development shall deliver pedestrian and cycle improvements, appropriate to the size, scale and location of the scheme, that enable people to travel from the development to key destinations around the town such as the town centre, railway station, main employment areas, schools, health services and out of town retail centres.

b) Where barriers such as busy roads, the river or railway tracks hinder significant movement by foot or cycle, applications that include measures to navigate these barriers through solutions such as bridges or other crossing facilities at road level will be expected.

c) There will be a strong presumption against development which results in the loss of any existing cycle or pedestrian crossing over a road, railway or river unless a suitable alternative is provided.

d) Where possible, cycle routes should be traffic free or segregated physically or by line markings. Cycle lanes should not be created on roads where roadside parking would be allowed alongside them. Routes should aim to keep road crossings and changes in level to a minimum and cycle routes should avoid unnecessary gradients. Routes should normally be suitable for those with

wheelchairs, frames, buggies or other mobility aids.

e) In line with section 8 of EHDC's Sustainability SPD, motorists are required to give way to cyclists at junctions on shared use paths or on roads. On main roads junctions this may include provision of raised tables, advance stop lines or a cycle phase at traffic lights.

f) Cycle routes should be built to high quality design standards such as the NCN (National Cycle Network) Standards or London Cycle Design Standards and, to the extent that is consistent with the viability of the development, include the following features:

- All season use.
- Sealed surface.
- Width in keeping with recommended guidelines and standards as mentioned above.
- Suitable for leisure and utility use.
- Lighting.
- Suitable for wheelchair and mobility scooter users.
- Clear signage and communication of routes.
- Integrated with public transport nodes.
- Removal of existing barriers reducing accessibility and no new ones added.

g) Major development schemes should provide for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel patterns to become established from the outset of occupation.

h) Development that seeks to support or contribute to the following proposals will be encouraged:

- Designated Locations as defined in section policy SI1 of the Bishop's Stortford 'Neighbourhood Plan for All Saints, Central South and part of Thorley Parish – Part 1 Introduction and Site Specific Policies'.
- Recommended routes and improvements identified through the Town Council approved Bishop's Stortford Cycle and Walking Masterplan Study conducted by Sustrans (2016).
- Routes to enable pedestrians and cyclists to access local green spaces, the countryside around the town and Hatfield Forest as a key local leisure site
- Routes that support cycle commuting to key local destinations: station; airport; Stansted Mountfitchet; Hadhams; Ware; Harlow; Sawbridgeworth; Canfield/Takeley.

3.5.4.7 Community feedback has shown continuing concern with bus service provision in Bishop's Stortford including problems relating to reliability, routing, lack of real time information, congestion on roads causing bus delays, unconnected train and bus timetables and the availability of cheap car parking. These all impact on the ability to offer bus travel as a meaningful alternative to the car and impact on those who do not have access to a car. Additionally, a number of bus stops are poorly located contributing to increased congestion in the town centre.

3.5.4.8 Paragraph 104 of the NPPF calls for opportunities to promote public transport use at the earliest stages of plan-making and development proposals and goes on, in para 110, that applications for development should give priority to "facilitating access to high quality public transport". HCC's Local Transport Plan LTP4, adopted in 2018, has therefore established a 'User Hierarchy' for evaluating applications and identifying transport investment priorities which ranks

bus travel above all other transport modes apart from walking and cycling.



3.5.4.9 Increasing bus use in Bishop's Stortford requires provision of a regular, reliable service, close to where people live, supported by real-time information and high quality equipment and facilities from which the town centre, rail station and commuting destinations can be accessed. It is also important that Bishop's Stortford has an effective transport interchange between buses, trains and other modes of transport – including cycling and walking. Redevelopment of the bus and train station interchange into an efficient transport hub equipped for passengers in all weathers would present a modern gateway to the town, attractive to residents and visitors alike.

**TP5 – Better Bus Travel**

a) Significant developments should normally be served by a regular bus service to the town centre and major commuting destinations. Where new residential development is not within 400 metres of an existing bus stop from which key service destinations can be accessed within 30 minutes, then developers may be expected to fund net additional bus services and supporting technology to provide real-time service information, through a planning obligation or otherwise. Such subsidy should ensure that the service continues to run from commencement until beyond the full occupation of the development.

b) Bus stops shall be of an appropriate high standard of design and shall include but not be limited to:

- being fitted for the display of Real Time Information.
- being fitted with 'all weather' seating and shelter.
- being accessible for people with disabilities.

c) In order to achieve improvements in facilities and services and a co-ordinated service plan for Bishops Stortford as a cross boundary public transport hub, facilities provided under this policy shall have regard to the Hertfordshire County Council's Intalink Bus Strategy 2019, the Quality Partnership and be delivered in cooperation with Essex CC and service providers.

d) Where the encouragement of public transport use is proposed as a mitigation measure for any development, the use of developer contributions to enhance existing key bus corridors by the provision of appropriate priority bus measures (excluding bus lanes where only a single carriageway is available), will be supported.

3.5.4.10 2010 School Census data<sup>3</sup> indicated that the main mode of travel to school among primary age children was walking. For secondary school children the main mode of transport is bus. Nevertheless 35% and 23% of journeys to primary school and secondary school respectively were made by car and it is noticeable that congestion levels around the town are higher during school term periods. Cycling mode share was low and only marginally increases between primary (1.8%) and secondary school (2.8%). HCC are

<sup>3</sup> 2010 School Census data (Urban Transport Plan-Stage 1 report, Steer Davies Gleave)

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undertaking further work to obtain baseline school travel data in the County in support of school travel planning.

3.5.4.11 HCC's Local Transport Plan 4 notes that *"increases in journey length for education trips and increases in 'trip-chaining' where people combine trips for two or more journey purposes, such as dropping off children to school, commuting and shopping, is making it harder to achieve modal shift away from cars."* LTP4 Policy 3 (c) therefore supports the preparation of school travel plans to encourage behavioural change.

3.5.4.12 Local Authorities have a duty to promote the use of sustainable travel and transport<sup>4</sup>. The vision for Hertfordshire County Council is to increase opportunities for children and young people to make journeys to schools and colleges by sustainable means by encouraging schools to adopt school travel plans and promoting the Modeshift STARS scheme.

3.5.4.13 Within the Town there are a number of important school pedestrian travel routes that are perceived as having poor and unsafe crossing facilities and/or excessive traffic speed.

3.5.4.14 The developers of significant residential developments are expected to work with local schools to identify appropriate traffic mitigation measures and support school travel plans.

### **TP6 – Safer, sustainable school travel**

a) For significant and larger major developments, developer contributions specified within appropriate Planning Obligations such as S106, will be sought to

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<sup>4</sup> Department for Education Home to School Travel and Transport Guidance, July 2014 (Updated December 2016)

ensure that the residents of new developments can travel safely by sustainable modes to schools that serve their area. Proposals that include any or all of the designated elements in (b) below will be encouraged.

b) There will be a strong presumption against development that does not include or does not provide funding for any of the following designated elements where it is reasonable to expect (given the location and nature of the development) and viable to do so.

- Street design measures in the vicinity of schools to improve safety of children traveling to school on foot and by bike.
- Safe school drop off and pick up zones.
- Funding or part funding of new or diverted school bus or school shuttle services especially if there is a lack of alternative sustainable travel choice.
- Improvements to enhance the safe passage of pedestrian and cycle traffic through Designated Locations listed in policy SI1 in the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish Part 1.

### **3.5.5 Objective: Provide vehicle and cycle parking to support sustainable travel objectives**

3.5.5.1 In addition to high quality routes, high quality cycle parking is required to make cycling a genuine transport option, as set out in paragraph 104 of the NPPF. Cycle parking needs to be provided within the development site and additional parking provided at community destinations off site, to take into account the additional cycling generated by the new development. Cycle parking needs to be secure, covered and in a safe location for the cyclist.

**TP7 – Cycle parking**

a) Sufficient, secure and waterproof cycle and, where appropriate, powered two-wheeler storage facilities shall be provided for users of new residential, educational, health, leisure, retail, employment and business developments (to be determined on a site specific basis). These should be positioned in easily observed and accessible locations.

b) In addition to meeting the requirements of East Hertfordshire Vehicle Parking Standards for cycle parking on the development, major developments are also expected to make financial contributions towards the provision of cycle parking at key destinations such as schools, the railway station, the town centre and leisure centres.



3.5.5.2 Community feedback has highlighted that residential parking and other factors affecting its use is a problem in the town. There are a range of issues:

- Increased demand for parking as the town grows.
- Insufficient off-road parking on new and existing developments leads to parking on roads impacting on traffic flow and pedestrian/cycle safety.
- A lack of off-street residents parking which is contiguous with, and part of, each numbered property.
- Poorly designed parking courts.

- A lack of residential electric vehicle charging facilities.

These problems of residential parking are compounded by non-residential parking issues such as commuter and town centre workers parking in residential streets which can cause problems. Residential Parking Zones and restricted parking schemes are being considered to address this.

3.5.5.3 The dimensions of garages are often too small to accommodate a car, together with bicycles and some storage space. Many planning and highways authorities recognise this and require specified minimum dimensions for a garage to be counted as a parking space.<sup>5</sup>

3.5.5.4 Parking courts have proved unpopular and, where poorly designed, lead to a poor visual appearance due to ambiguous responsibilities for maintenance, unattractive expanses of hard surfacing or cars, and a poor street scene. Residents have complained about the inconvenience created by a separation between parking and the corresponding property, particularly when heavy objects must be transported.

3.5.5.5 NPPF Para 104(e) acknowledges that “... streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places”. The District Council’s currently adopted Supplementary Planning Document (SPD) ‘Vehicle Parking Provision at New Development’ dates from 2008 and an updated version is currently in preparation. The Council’s adopted

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<sup>5</sup> For example Essex 7m x 3m

Basingstoke: 6m x 3m

Burgess Hill: 7m x 3m

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Sustainability SPD also provides that new development should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles. This policy applies these new higher design standards to new residential development wherever and as soon as appropriate.

#### **TP8 – Residential parking**

a) Off-street parking which is contiguous with, and part of, each numbered property is strongly preferred. Parking courts may be permitted provided that they:

- Are built to Secured by Design standards or equivalent and adequately lit.
- Serve a small number of properties, for example no more than five, except in the case of flats where a single block or two closely adjacent blocks may be served.
- Are overlooked by surrounding dwellings.
- Are clearly visible and easily accessible from the property served.
- Are aesthetically pleasing and complement the street scene both when full and partially empty.
- Have a sense of place and are designed to encourage ownership.
- Have regard to any design guide published in association with this plan.

b) The road layout at the approaches to parking courts must be designed so that residents will be encouraged to use them in preference to parking on the street. This will normally be achieved by ensuring that:

- The entrance to parking courts precedes the dwelling when approached from the distributor road or other access serving the development.

- The distance to be travelled from the distributor or access road to the parking space is comparable with or less than the distance to the 'on street' parking opportunity nearest to the property.
- Access to the parking court is easy to negotiate and that parking spaces are sufficiently wide that they are easy to use.
- The walking distance between the vehicle and the dwelling to which it belongs (or to the relevant entrance to the block in the case of flats) must normally be no more than 20m via a paved route.

c) Applications for conversions and/or demolition and rebuild of garages for living accommodation will be supported only where it can be demonstrated that adequate off road parking is provided for the sole use of the property in accordance with the provisions of the District Council's adopted or, where appropriate, emerging Supplementary Planning Document 'Vehicle Parking Provision at New Development'.

d) Applications for residential development that includes a reliance on parking on existing streets shall not be permitted if this would result in a material adverse impact on the safety of road users including cyclists and pedestrians.

e) Applications for major residential developments should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles in accordance with EHDC's Sustainability SPD.



3.5.5.6 The future increase in the town's population and housing growth within and beyond the Neighbourhood area will inevitably put pressure on already stretched parking availability for workers, commuters, shoppers and visitors – particularly in the town centre. A balance is therefore required that results in adequate parking provision to maintain and enhance the vitality of the town whilst at the same time encouraging the use of sustainable travel modes.

3.5.5.7 Community feedback has also highlighted that parking is a problem in the town. There are a range of issues:

- Increased demand for parking as the town grows.
- Sub-optimal use of parking spaces, for example allocated contract car parking spaces for commuters are often unused and unavailable to the public at weekends.
- Concentration of car parks and access to them in the north of the town centre which worsens congestion in key hotspots.
- Lack of town centre parking accessed from the south of the town.
- Inefficient entry and exit arrangements that contribute to congestion problems.
- Insufficient off-road parking on developments leads to parking on roads impacting on traffic flow and pedestrian/cycle safety.

- Commuter, town centre workers and long-term airport related parking in residential streets can cause problems.

3.5.5.8 NPPF paragraph 104(e) highlights that “*patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places*”. It also places significant emphasis on measures to stimulate town centres and enhance their viability. District Plan Vehicle Parking Provision Policy TRA3 reflects these objectives and requires that non-domestic car parks for users of educational, health, leisure, retail, employment and business developments:

- Provide sufficient secure, covered and waterproof cycle and powered two-wheeler storage facilities;
- Provide charging points for low and zero carbon vehicles at public car parks associated with major developments (including those for Park and Ride facilities); and
- At non-domestic private car parks, the Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user.

The Neighbourhood Plan supports these District Plan policies to reduce car parking demand and make more efficient use of existing and new capacity in the town in support of sustainable travel objectives.

3.5.5.9 The District Plan Town Centre policy BISH2 also references Bishop's Town Centre Planning Framework prepared in 2017. This makes no policy recommendations but notes that:

- A 2015 Parking Demand Study found that by 2021, parking demand would exceed supply by around 280 spaces - further

### Common Policies

exacerbated by future development in the town to 2026.

- The supply of short stay car parking in the town centre will be increased in line with demand, as a result of housing growth.
- A new public short-stay car park at the station will help to provide car parking for this area of the town centre.
- The Old River Lane (ORL) site is well-located for car parking and could provide for future parking demand but would need to be carefully mitigated, but...
- ...went on to recommend a new multi-storey car park to the north of Old River Lane to increase car parking capacity in the town centre and serve the central shopping area.

The new 546 space multi-storey car park to the north of Old River Lane received consent in 2019 and is now complete (2022) but the redevelopment of the existing ORL (Policy BISH8) is unresolved and is subject to preparation of, and consultation on, an SPD in 2022.

3.5.5.10 The Town Centre Planning Framework recommendations appear to have the potential to fuel short term supply-led demand for town centre car parking significantly in excess of the 2015 Parking Demand Study at a time when activity levels appear to be in decline or uncertain for many traditional town centre uses. At the same time there are a number of policy initiatives in support of the Local Transport Plan's sustainable travel objectives including:

- EHDC's support for Shaping Stortford's bid to HCC in December 2020 for Sustainable Travel Town status. This bid included a change in the Council's parking and spatial planning policies, including the abolition of free parking provision in the town centre

and no net gain in parking spaces both on-street and in off-street facilities.

- The Bishop's Stortford Park and Ride Feasibility Study for EHDC in 2018 assessed the potential demand for a Park & Ride service against the costs of operation. It concluded that multiple edge-of-town sites produced town centre traffic reduction benefits based on the anticipated demand from town centre retail and work (but excluding rail commuter) trips but is unlikely to be financially viable without significant reductions in town centre car parking capacity and increases in charges. Whether the socio-economic and sustainability policy benefits would attract funding subsidies for a public or privately funded project was not assessed.

3.5.5.11 In the light of these findings and changing policy directions, the Neighbourhood Plan supports sustainable travel policies and initiatives to manage public parking in the town by reducing both demand and net additional supply in the town centre and supporting alternatives including mode switching (including cycles and electric vehicles), pricing policies, shared public use and park and ride initiatives where they are financially or economically viable.

#### **TP9 – Parking in and around the town**

a) Developments resulting in the net loss of public car parking spaces in the which are designed to serve the town centre will be permitted where an appropriate level of mitigation measures are provided which encourage modal shift away from car use or otherwise result in a reduction in demand resulting from the development. Reductions in the number or significant changes in the location of existing car park spaces should be justified by past and forecast usage statistics provided to the developer by the car park owning authority or other owner.

b) Developments leading to the increase of public parking provision on existing parking sites (for example by over- or under-ground multi-decking) will be supported provided:

- They are designed to be in keeping with the surrounding area or as a piece of quality architecture in their own right contributing positively to the aesthetics of the building stock in Bishop's Stortford and
- There is a demonstrated need, based principally on considerations of town centre vitality, which will not realistically be fulfilled by modal shift.

c) Effective traffic demand management in the town centre in the next five years will be strongly supported where viable to do so through parking measures including:

- parking restrictions on new developments and changes of use,
- edge-of-town park and ride facilities to intercept rail commuters and other long stay town centre users, and
- other parking demand management approaches.

Financial contributions will be sought from developments to support the viability of such approaches where they encourage modal shift and sustainable travel.

d) Short period free parking places, sponsored by or integral to new retail developments outside the town centre consistent with the NPPF sequential test, will be supported, where appropriate. Reserved places for disabled parking close to shops and other facilities should be an integral part of any development which includes parking spaces.

e) Applications for non-domestic development or changes of use that include a reliance on parking on existing streets shall not be permitted if this would result in a material

adverse impact on the safety of road users including cyclists and pedestrians.

f) Applications for major non-domestic development should include an electric vehicle charging scheme designed to provide the infrastructure to enable present or future charging of plug-in and other ultra-low emission vehicles in accordance with EHDC's Sustainability SPD.

### 3.5.6 Objective: Manage traffic speeds and promote road safety

3.5.6.1 Road safety continued to be raised as a concern by residents during the consultation process. The problems of speeding traffic are compounded by narrow or non-existent pavements and a lack of suitable crossing points which act as barriers to pedestrian and cycle movement and are also constraints for those with reduced mobility. Reducing vehicle speeds and introducing traffic calming measures can also reduce carbon and other emissions.

3.5.6.2 Given the high levels of car ownership and use in the area, creating and managing neighbourhoods so that traffic speeds and road layouts are safe is fundamental. Policy 15 of HCC's Local Transport Plan 4 commits the council to manage the network to achieve appropriate speeds in the interests of safety, other road users, and the environment through its Speed Management Strategy which introduces zonal rural speed limits and increases the number of roads that could have 20mph speed limits. This approach should be applied when assessing and mitigating the impact of new development and prioritising investment on the existing highway network of the town.

3.5.6.3 In the case of new development, District Plan policy TRA2 reflects the requirements of the NPPF paragraph 110(b) that development proposals should ensure

that “*safe and suitable access to the site can be achieved for all users*” and this should include a design speed of not more than 20mph for new roads outside main access routes in line with HCC’s Roads in Hertfordshire: Highway Design Guide.

3.5.6.4 The addition of significant new housing developments will require careful design to create a safe environment for all road users. In addition, the increase in traffic volumes generated by these developments may potentially have a detrimental impact on road safety in key areas which form part of the wider travel network. HCC’s Local Transport Plan 4 contains a commitment to develop a methodical and proactive ‘Safe Systems’ approach to identifying safety issues and improvements on the network which, when developed, has the potential to be applied to guide road infrastructure design in the town.

3.5.6.5 In the case of new development, District Plan policy TRA2 reflects the requirements of the NPPF paragraph 110(b) that development proposals should ensure that “*safe and suitable access to the site can be achieved for all users*”. NPPF paragraph 108(c) also goes on to say that any significant impacts on highway safety of the network should be cost effectively mitigated to an acceptable degree and this policy is designed to promote road safety at new developments and across the town as a whole.

#### **TP10 – Traffic speeds within new developments**

New residential developments shall include a readily understandable street hierarchy with a design speed of not more than 20mph for roads outside main access routes. It must also enable their use by refuse, emergency and delivery vehicles. In order to achieve this, the use of alternative strategies is encouraged, including the use of shared spaces and speed-

activated signage. Traffic calming and other measures should be designed to achieve appropriate speeds in the interests of permitting safe passage by all road users and reducing carbon emissions.

#### **TP11 – Promote road safety**

a) All development applications requiring a Transport Assessment or Statement and Travel Plan as required in Policy TP1 above will include an analysis of the impact of the development on road safety. The road safety assessment will be based on an analysis of traffic flows and accident data for the local highway network including identified safety hotspots.

b) The transport and safety assessments shall identify works to mitigate unacceptable road safety impacts based currently on the Department for Transport’s Manual for Streets and, when appropriate, HCC’s Local Transport Plan 4 Policy 17(b) to develop a ‘Safe Systems’ approach to co-ordinate a mix of safer roads, speeds, vehicles, and road users.

### **3.5.7 Objective: Contribute to improve town accessibility and connectivity**

3.5.7.1 It is important that the planning system supports transport investment in Bishop’s Stortford as a vital part of making the town an attractive place to live, work, play, visit and shop. The District Plan commits the town to high levels of growth in the plan period and, given that the cumulative impact from development will place additional demands on accessibility, connectivity and ease of movement in the town, the Neighbourhood Plan seeks developer contributions to the necessary transport infrastructure to achieve this.

3.5.7.2 This principle is set out in paragraph 55 of the NPPF 2021 which says that “*local*

*planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations".* Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 56 goes on to say that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fair and reasonable in relation to the development in order to ensure that it remains viable.

3.5.7.3 District Plan Policy DEL2 commits the Council to use a range of planning obligations on these terms to provide infrastructure including that for sustainable transport modes and highway improvements. Such obligations are usually, but not exclusively, required in the form of financial contributions. The policies are quite clear that such financial contributions must be related to the direct effects of a given development, rather than being put into a pot to fund general improvements.

3.5.7.4 In East Herts financial contributions are sought under Section 106 of the Town and Country Planning Act and by HCC using their Planning Obligations Toolkit in order to secure financial contributions towards the provision of infrastructure and services. Paragraph 25.3.3 of the District plan says the *"District Council will also give consideration to introducing a Community Infrastructure Levy (CIL) in order to support the provision of future infrastructure schemes"* and, if so, the Neighbourhood Plan could be future-proofed through a commitment to identifying projects which could be funded through the neighbourhood portion of CIL should the charging schedule be adopted during the plan period. However, in the

absence of CIL, there is currently no mechanism for Town or Parish Councils to collect financial contributions via s106 agreements. The policy will therefore allow Bishop's Stortford Town and Thorley Parish Council to be consulted on and influence the District Planning Authority's s106 negotiations with the developer.

3.5.7.5 District Plan Policy TRA1 (II) says contributions may be required towards the facilitation of strategic transportation schemes identified in the Local Transport Plan and other related strategies. Local Transport Plan 4 requires HCC to prepare the Eastern Area Growth and Transport Plan (EAGTP) which will set out a comprehensive transport investment packages, programmes and projects by prioritising investment proposals from the LTP and other relevant adopted local transport and active travel strategies for the area. The Consultation Draft of the emerging EAGTP has been reviewed in early 2021 and issues raised on the need for a clearer sustainable transport strategy and revised intervention priorities to support the objectives of this revision cycle of the Neighbourhood Plan. A revised GTP is expected to be adopted later in the year.

3.5.7.6 Policy TP12 therefore supports planning obligations seeking developer contributions to improve town accessibility and connectivity including:

- transport improvements to be delivered through District Plan site allocations BISH3 – BISH10 and identified traffic and transport mitigation measures required as part of planning consents for development at those sites; and
- sustainable transport projects and programmes in the finally adopted EAGTP and other relevant adopted strategies including:

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- Bishop's Stortford Transport Options Report
- Bishop's Stortford Parking Study
- Bishop's Stortford Town Centre Framework
- East Herts Infrastructure Delivery Plan
- Bishop's Stortford Walking & Cycling Strategy (Sustrans)

#### **TP12 – Financial contributions to improve town accessibility and connectivity**

a) Financial contributions will be sought from developers utilising s106 agreements and HCC's planning obligation toolkit to mitigate traffic impacts of development, promote sustainable transport and deliver improvements in the neighbourhood area to town accessibility and connectivity for pedestrians, cyclists, bus and vehicle users which are identified in approved transport investment programmes.

b) Should East Herts District Council introduce a Community Infrastructure Levy (CIL) during the Plan period The Town Council and Thorley Parish Council would seek to identify projects which could be funded through the neighbourhood portion of CIL. Otherwise they will seek to influence the relevant Planning Authority's negotiations on planning obligations with the developer to ensure that development finances unspecified transport mitigations and improvements sought through Neighbourhood Plan policies on a case-by-case basis.

## 3.6 EDUCATION

### 3.6.1 Introduction

3.6.1.1 Schooling in Bishop's Stortford is generally recognised to be high quality.

3.6.1.2 However, recurring concerns about education in Bishop's Stortford are:

- There are not enough school places to feel confident that one's child can get into the nearest school (primary) or the preferred school (secondary).
- There is insufficient Adult education and Vocational training in the town.

3.6.1.3 The location of primary and secondary schools in the town is shown in figure 3.

3.6.1.4 The area is well served in relation to the number of secondary school places available. However, their high quality leads to high popularity and many families outside the town seek secondary school places in Bishop's Stortford. Hertfordshire County Council data indicates that 52% of the 2021 student intake to Bishop's Stortford schools (excluding Bishop's Stortford College, which is an independent fee-paying school), totalling 523 pupils, were residents of the town.

3.6.1.5 Currently, all primary and secondary schools are at, or near capacity in Bishop's Stortford and forecasts suggest that demand is likely to increase in line with housebuilding. New primary and secondary schools are planned or under construction to accommodate the increased population which will arise.

### 3.6.2 Objectives

3.6.2.1 The policies in this section seek to achieve the following objectives:

- Support the creation of sufficient new school places to accommodate population growth.
- Maintain or improve current high standards of education in the Neighbourhood Area.
- Enable the provision of vocational training, adult education and wide community use.

**3.6.3 Objective: Support the creation of new school places to accommodate population growth**

3.6.3.1 At present there is both a perceived and an actual shortage of primary and secondary school places in the area, although, the perceived shortage is greater than the actual shortage. Any new development must take the need for extra school places into account.



3.6.3.2 The location of new schools locations together with the access arrangements should minimise vehicular congestion and traffic impact. New developments must be informed by travel plans which include measures to encourage the use of transport other than private cars.

**EP1 – School availability**

Development will be permitted if sufficient local primary school places exist or are made available for all additional children arising from a development and adequate secondary school places exist or are made available in Bishop's Stortford in schools

that are reasonably accessible from the proposed development location or the developer makes contributions (whether financial or otherwise) requested by the Education Authority, to enable any shortfall in provision caused by the development to be addressed.

**EP2 – New secondary school places**

Proposals for developments which create new secondary school places to serve new developments, taking account of guidance from Hertfordshire County Council, and which are easily accessible, will be welcomed.

**EP3 – New primary schools**

Proposals for new primary schools to serve new developments, taking account of guidance from Hertfordshire County Council will be welcomed.

**EP4 – Pre-school and early years**

Proposals which provide pre-school and/or early years' places will be welcomed.

**EP5 – Travel plans**

The location and access arrangements of new schools should minimise vehicular congestion and traffic impact. Proposals which incorporate travel plans that include measures to encourage the use of transport other than private cars will be supported.

**3.6.4 Objective: Maintain or improve current high standards of education in the Neighbourhood Area**

3.6.4.1 Planning should enable new schools and existing schools to maintain the high standards currently enjoyed by Bishop's Stortford. In part, this means that existing schools must be able to maintain high quality buildings.

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3.6.4.2 The aesthetic design of any new school buildings should take into account other prominent buildings and geographical features. The design and appearance of new schools or improvements to existing schools should be in keeping with the innovative, creative and important work which occurs inside them.

### EP6 – High quality design

Proposals for new or renovated educational buildings must complement local features and demonstrate a high quality aesthetic. They must be fully accessible to all and incorporate full consideration with respect to sustainability.

### 3.6.5 Objective: Enable the provision of vocational training, adult education and wide community use

3.6.5.1 Consultation feedback indicates dissatisfaction with the level of adult and vocational training available in the area and new development provides the opportunity to ensure that the appropriate facilities are available.

3.6.5.2 Space is precious. Therefore developments must include, within their building design, opportunities for multiple and flexible use.

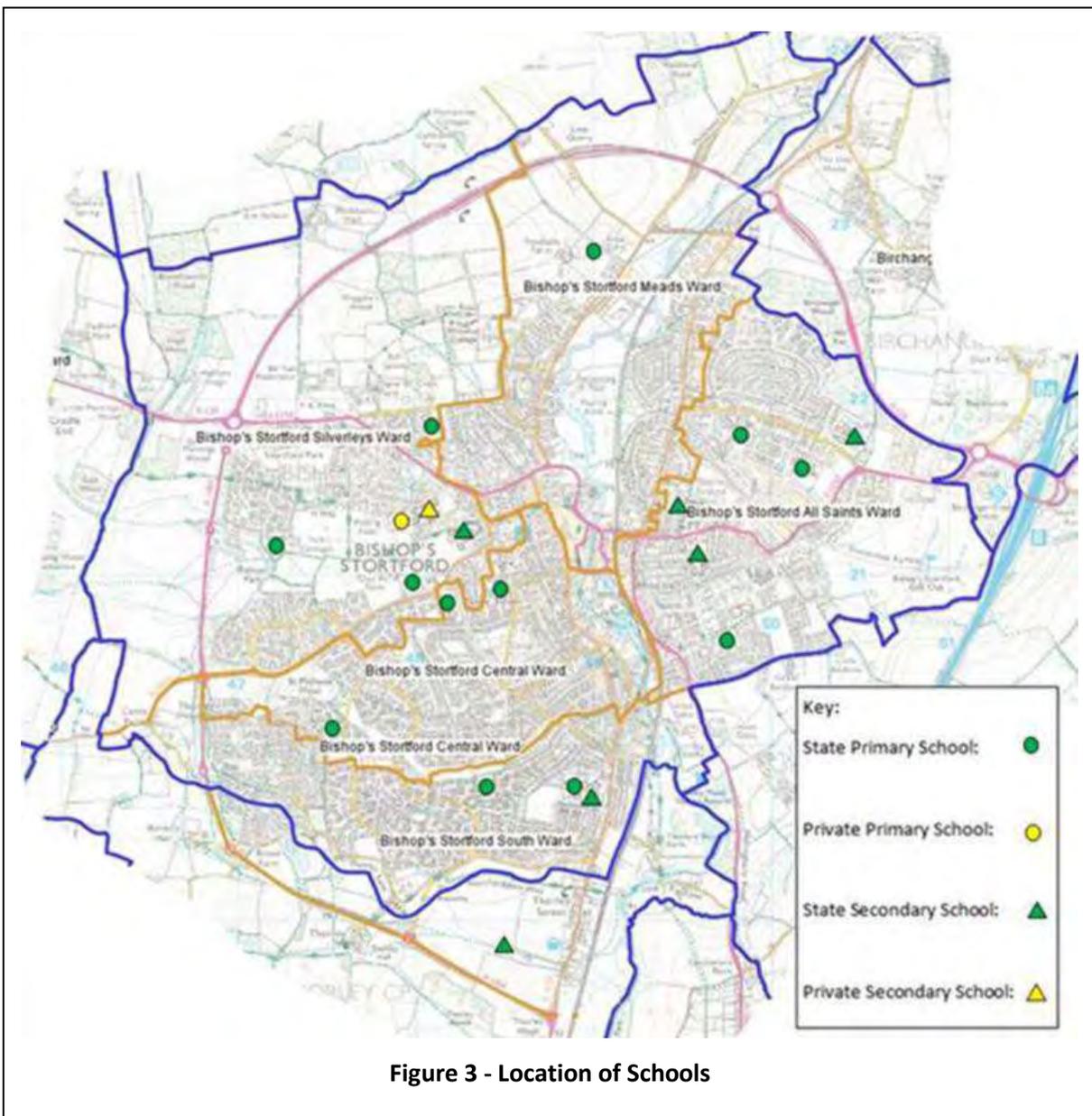


Figure 3 - Location of Schools

**EP7 – 16-19 Vocational Education, Adult Education and Community use**

a) Proposals for dedicated facilities for 16-19 vocational education or training or training for those with special needs, whether on a new or existing site, will be encouraged, provided they are consistent with the requirements of all other policies.

b) Additional secondary schools should not be considered unless it has first been demonstrated by the developer that the 16-19 vocational education and training needs can be met locally.

c) Proposals for new school accommodation

will be required to be designed to accommodate adult and vocational education and/or community use outside of school hours unless it can be demonstrated that this is either not practical or not viable.

**3.7 HEALTH**

**3.7.1 Introduction**

3.7.1.1 Primary health care in the town is already stretched and while praising the quality of the medical care provided, many residents complain about difficulties with getting timely appointments with GPs. There

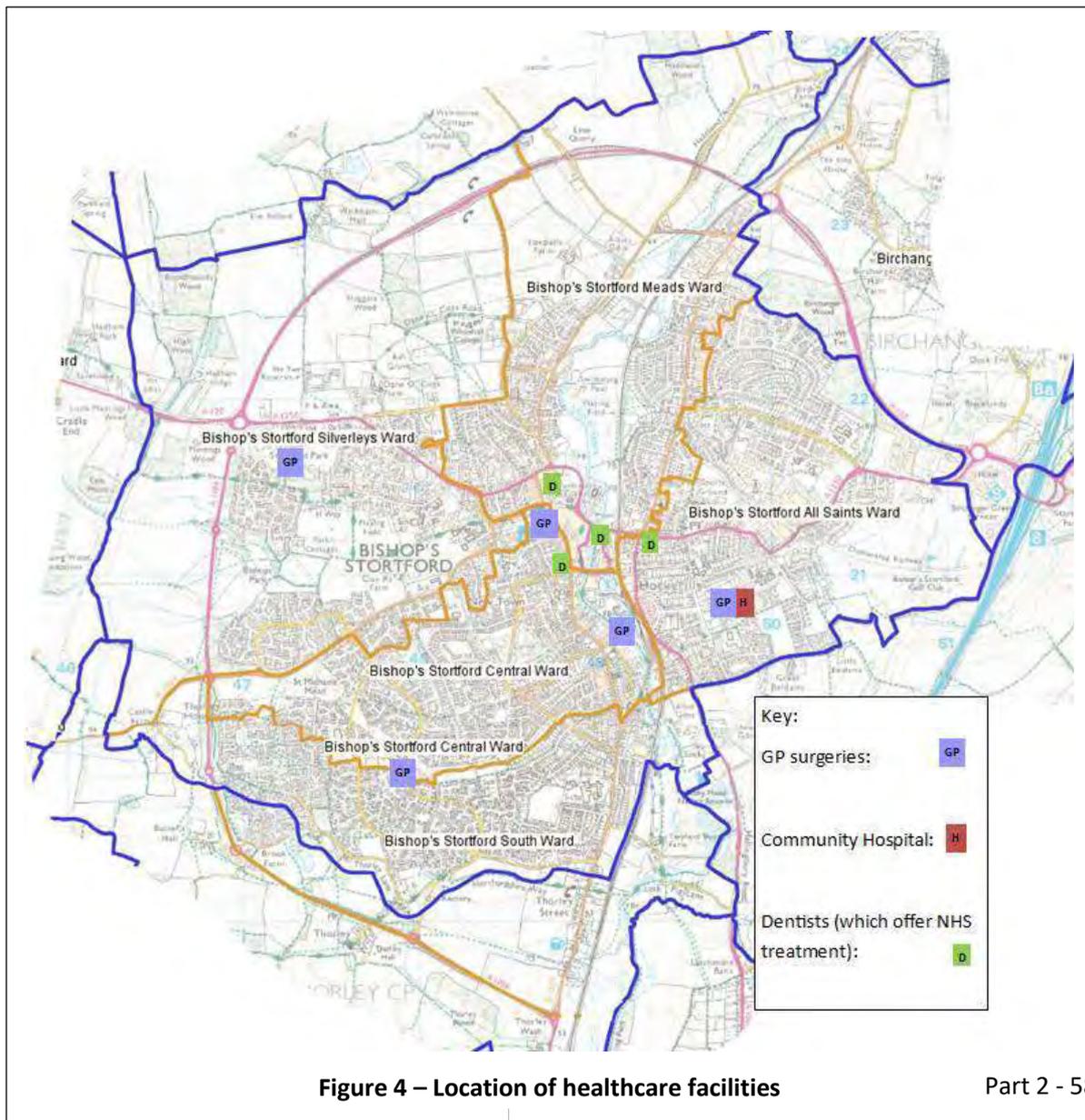


Figure 4 – Location of healthcare facilities

are also concerns about a lack of mental health services, A&E facilities and care for the elderly. The expansion of the town and the ageing population will put additional strain on these facilities. However, the Health Profile published in June 2015 by Public Health England showed that the health of people in East Herts is generally better than the England average.

3.7.1.2 The annual patient surveys carried out by the practices (e.g. Church Street) shows patients were unhappy with the numbers of GPs available, the state of the premises of Church Street and South Street, and with the appointments systems.

3.7.1.3 Responsibility for the three practices in Bishop's Stortford lies with the Stort Valley and Villages Locality Group which is also responsible for two in neighbouring areas. Public health is the responsibility of Herts County Council and the East Herts Draft Health and Wellbeing Strategy may be viewed on the East Herts District Council web site.

### 3.7.2 Objectives

The policies in this section seek to achieve the following objective:

- Provide reasonable access to health services for residents of all ages

### 3.7.3 Objective: Provide reasonable access to health services for residents of all ages

3.7.3.1 The 2014 report from Herts Healthwatch contained an analysis of the GP/Patient ratios for the five GP practices in the Locality Group. For the three practices in Bishop's Stortford, the average ratio was 1:2019, well above the national average of 1:1800. The practices have reported their problems in recruiting new GPs and it is clear that progress needs to be made on this issue

for them to be able to offer an improved service.

3.7.3.2 The South Street practice, in 2012, made a proposal to move its main surgery to the Silverleys sports complex site but this was not approved, mainly due to issues of sustainability. An alternative proposal was made by a developer to move the main practice to Tanner's Wharf and this was approved by EHDC but was not a favoured option for the practice.

3.7.3.3 The local practices are in joint discussions to identify possible strategies for the future which will improve the service to patients and will cope with the increased demand arising from new development all around the town, while allowing for the reality of constrained NHS budgeting. Feedback from residents confirms the view that some of the present GP premises are not fit for purpose and that purpose-built premises will be required in the future, including for any major new development.

#### HP1 – Accessible GP practices

- a) Any new development of 10 residential units or more must, by means of financial contributions or otherwise, support the provision of facilities so that new residents have access to a GP practice within a reasonable distance, subject to agreement with the healthcare provider and unless the existing services are already capable of providing this service to the new residents.
- b) For developments of over 500 dwellings appropriate provision must be addressed as part of the development proposal. This may be through onsite provision or financial contribution to local offsite provision where onsite provision is not viable. Applicants must engage with the relevant health authorities at the earliest possible stage.

c) Contributions should take account of East Herts policies for community infrastructure contributions and the effect of contributions on the viability of development.

d) Development of a new central location for the services currently provided at South Street and Church Street practices will be supported subject to other applicable policies.

3.7.3.4 In addition to GP services, there is a need for high quality specialised provision for care of the elderly, the mentally ill, and the mentally and physically disabled. Most of the elderly residential services are provided by private care homes which where possible should be sited in residential areas and specifically built for purpose.

3.7.3.5 Residents have stated a need for an Urgent Care Centre at the Herts & Essex Hospital to alleviate some of the pressure on A&E at Princess Alexandra Hospital in Harlow and to provide an improved service to residents of Bishop's Stortford. NHS England is aiming to ensure that through working with health and social care colleagues they can provide integrated care and problem solving for individual patients, thereby keeping people out of acute hospitals and reducing the reliance on urgent care services.

**HP2 – Services for the elderly, disabled and for mental health**

Proposals for development which improve specialist care for the elderly, the physically and learning disabled and mental health services will be encouraged.

**3.8 SPORT, LEISURE & COMMUNITY**

**3.8.1 Introduction**

3.8.1.1 Access to a variety of high quality sport, community and leisure facilities, both indoor and outdoor, enhances the integration

and sustainability of communities, and is a vital ingredient in the development of good physical and mental health of residents.

3.8.1.2 Unfortunately, the current level of provision of sport, leisure and community facilities within the town are seen by many involved in the organisation of such activities, to be less than adequate. Organisations and clubs, however, prosper within the town, due in no small part to the enthusiasm of members and supporters and the high standard of coaching which is available in many sports.

3.8.1.3 Any expansion of the town needs to ensure that all facilities, both existing and new, are developed to be both accessible and adequate to meet the needs of the towns increasing numbers of residents. The Neighbourhood Area contains various indoor and outdoor facilities of varying degrees of accessibility and quality.

3.8.1.4 The local topography and the nature and size of the town's future expansion suggest that if the community's needs are to be met then the surrounding Green Belt must be used to accommodate sports facilities, with suitable restrictions to ensure that the essential openness of the Green Belt is still preserved.



3.8.1.5 Expansion of the town will involve the building of new local community centres and create a clear need for the town's arts facilities to be further developed by increasing the capacity of existing facilities (within the

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constraints of listed building consent) or building a new and larger capacity arts facility.

**3.8.2 Objectives**

3.8.2.1 The policies in this section seek to achieve the following objectives:

- Provide standards-compliant community facilities to meet the needs of the residents
- Encourage appropriate use of Green Belt for sensitively designed outdoor sport, leisure and community facilities

**3.8.3 Objective: Provide standards-compliant community facilities to meet the needs of the residents**

**SLCP1 – Provision of outdoor sporting and leisure facilities**

a) Contributions to new or enhanced outdoor and indoor sports, leisure and community facilities (including appropriate ancillary buildings) will be required as set out in policy of CFLR1/CFLR7 of EHDC District Plan.

b) The provision of facilities under this policy will have regards to any Bishop's Stortford or neighbourhood strategy that is in place at the time and the balance between manageability, which favours centralised facilities, and

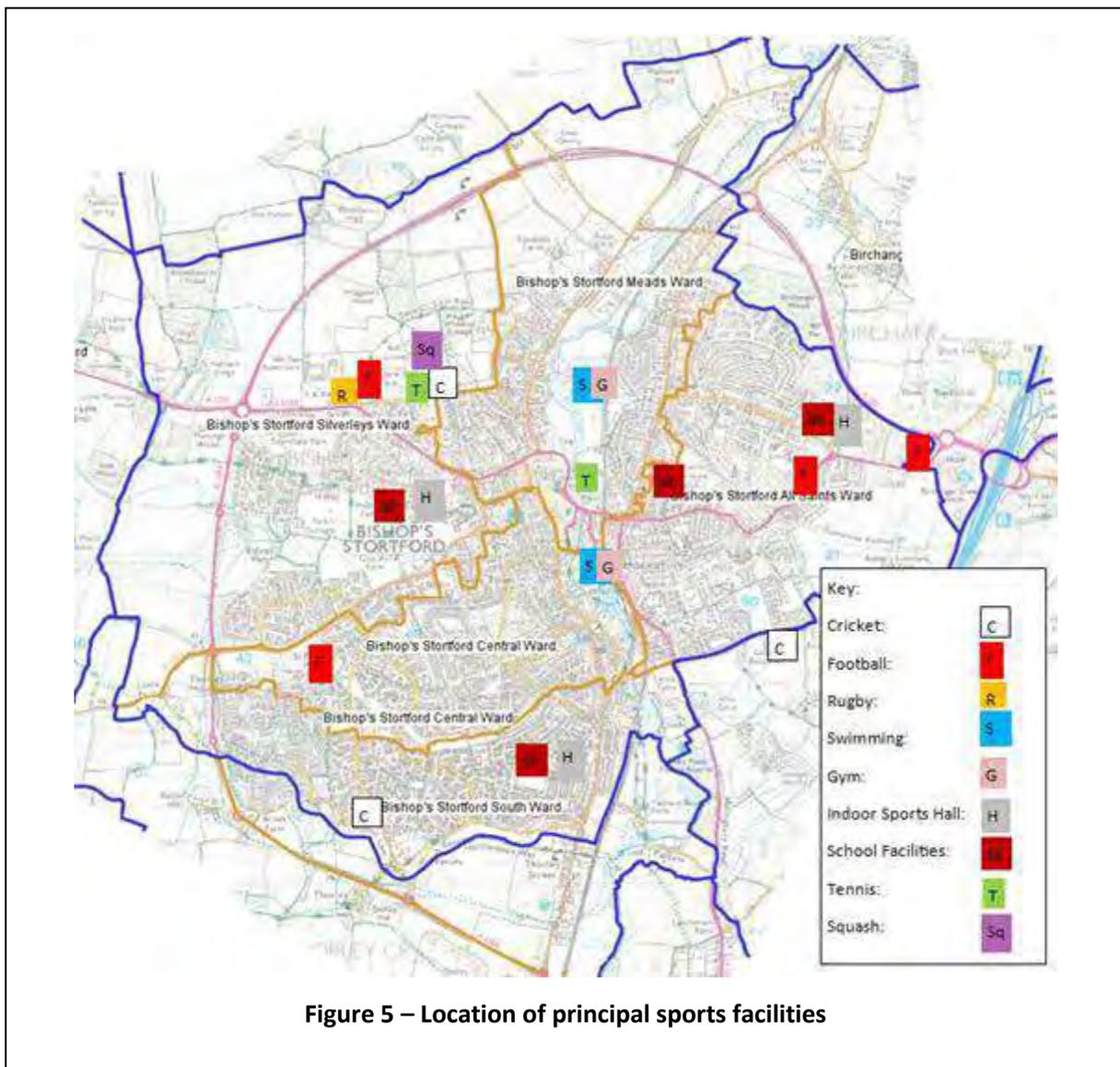


Figure 5 – Location of principal sports facilities

locality, which favours distributed facilities.

c) The mix of facilities (in terms of sports provided for) will be determined in consultation with the local planning authority, Bishop's Stortford Town Council, Thorley Parish Council (if appropriate), local sports clubs and other stakeholders.

d) Any proposals for new or enhanced community sports facilities must be inclusive (i.e. suitable for residents with disabilities) and comply with Sport England design guidance, be accompanied by an adequately-sized car park having regard to the likely modes of transport to and from the venue as well as nearby parking availability. Sites which are accessible by public transport, walking and cycling will be more strongly supported.

**SLCP2 – Development or expansion of multi-purpose facilities**

a) Proposals for developments in sustainable locations that enhance existing facilities, whether indoor or outdoor, by way of increasing their utilisation or capacity for multiple use and/or level of public access, will be strongly encouraged, where they do not conflict with other neighbourhood, local or national planning policies.

b) Provision for shared use must be considered in any such development, unless this has a material adverse effect on the viability.

c) New community halls should comply with design guidance set by both Sport England and the Charity Commission (Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001 and Charity Commission: Village Halls and Community Centres, reference RS9, December 2004) or updated guidance that supersedes it unless a clear justification for departing from it is provided in terms of viability, the nature of the site, or use user needs is provided.

d) Any proposals that result in the loss of buildings or land currently allocated for sports use will not be supported unless:

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

**SLCP3 – Development and enhancement of specified facilities**

a) The development of a new or improved swimming pool complex and the expansion or enhancement of additional facilities that are needed to serve the town's population, will be supported where they do not conflict with other neighbourhood, local or national planning policies.

b) Proposals by educational establishments to construct or expand sports and leisure facilities with the specific intention of making such facilities available for use by all the community will be supported. The conversion or adaptation of facilities to increase their availability and alternative uses throughout the year will be encouraged.

**SLCP4 – Community leisure and arts facilities**

a) Proposals for a new and larger capacity arts facility at an accessible and preferably central location will be supported as should any proposals which enhance existing arts facilities within the constraints of listed building consent, subject to other applicable policies.

b) Any proposals that result in the loss of buildings or land currently allocated for community use will not be supported unless:

### Common Policies

- an assessment has been undertaken which clearly shows that the facility is no longer needed in its current form; OR
- the resulting loss would be replaced by an enhanced facility in terms of both quality and location; OR
- the site is to be used for an alternative community facility, the need for which clearly outweighs the loss.

### 3.8.4 Objective: Encourage appropriate use of Green Belt for sensitively designed outdoor sport & leisure facilities



#### SLCP5 – Development of sports facilities in the Green Belt

Except in areas designated as 'Local green Spaces' the development of outdoor sports facilities in the Green Belt will be permitted provided:

- The demand for such facilities is clearly established.
- The design, massing and materials are such as to create a harmonious relationship with the surrounding landscape and environment.

## 3.9 BUSINESS AND EMPLOYMENT

### 3.9.1 Introduction

3.9.1.1 Bishop's Stortford is a relatively small market town but is the largest town in East Hertfordshire, in close proximity to Stansted Airport and the M11. It is well served by rail to London and Cambridge and by road in most directions. It has excellent schools, a thriving community and good employment opportunities both in the town and through commuting. The main employment in the town itself is in distribution services, light industry, office based, leisure services and retail. Bishop's Stortford is in the heart of the London- Stansted-Cambridge corridor. Research published by the LSCC Growth Commission in 2016 showed that the economic growth rate of the corridor was 20% higher than nationally 1997 - 2014. Two recent studies by Wessex Economics and DTZ have concluded that Bishop's Stortford has the greatest potential of all the settlements in the District in terms of employment growth particularly in terms of B1 office space and land.

3.9.1.2 The Bishop's Stortford Town Plan (2010) identified the need to improve professional and white collar job opportunities. 'Business Stortford' was established as an outcome of the Town Plan to attract companies from the UK, Europe and beyond to Bishop's Stortford in order to bring more of these types of jobs to the area. The initiative was set up by Bishop's Stortford Chamber of Commerce and includes a 'Welcome Programme' to fast-track a company's relocation or expansion to Bishop's

Stortford.



3.9.1.3 Bishop's Stortford is due to change over the plan period therefore a degree of flexibility regarding use of land and buildings will be increasingly required. Reasonable proposals for change of use of existing facilities should be supported to ensure modernisation opportunities ensure an up to date and sustainable employment provision.

3.9.1.4 The location of industrial areas both new and existing needs to be carefully considered. Existing industrial areas were originally near the edge of town however with subsequent development and expansion of Bishop's Stortford these sites are now located more within the town and often bounded by residential areas.

3.9.1.5 Consideration should be given to development of new business areas on the edge of or outside the current boundaries of the town and conversion of the existing sites to residential development. Support for a change of use proposal would be based on a suitable alternate location of employment facility being available prior to the change of use to match or exceed the existing location. Any proposed new industrial areas towards the East of the town may need to be developed in conjunction with input from both Uttlesford District Council and Essex County Council.

3.9.1.6 There is a clear demand for high quality office and retail premises around the

town however several existing properties have often remained empty for months or years in some instances. Retention of these properties as business is preferred as the economy improves. Approval of change of use would require full justification.

3.9.1.7 Retail activity throughout the nation is changing fast with an increasing use of online purchasing and preference for larger, high variety shopping centres. In addition, the town has seen a shift in emphasis from traditional independent type shops to service based retail such as hairdressers and cafes.

3.9.1.8 New retail facilities will result in increased competition for existing retailers. Where this competition has a detrimental effect, a possible change of use proposal for such properties should be supported where appropriate. The NLP report referred to below suggests that the Goods Yard is considered to have the potential to accommodate further retail development within Bishop's Stortford, and could absorb any residual capacity.



3.9.1.9 Proposed development in the Neighbourhood Area should enhance business and employment diversity and aligned with the 'Bishop's Stortford' construction aesthetic provide both a contemporary place to work along with a building that suits the surroundings. A healthy and thriving retail environment in the town centre is paramount to the town's success as a living community

and any mechanism to support this cause is to be supported.

### 3.9.2 Objectives

3.9.2.1 The policies in this section seek to achieve the following objectives:

- Create new employment opportunities for local residents while protecting amenities for residents
- Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development
- Support development in the town and commercial areas to ensure sustainable employment diversity

### 3.9.3 Objective Create new employment opportunities for local residents while protecting amenities for residents

3.9.3.1 The need for a business incubation hub has been identified through consultation with the local business community. In Bishop's Stortford self-employment is in line with the district, county and national average (6%, source: 2011 Census) and for many, the need to have small, cheap business premises which offer the opportunity to network with other business professionals is crucial to the ongoing success of their business. It will be important that a variety of stakeholders contribute to the identification of a suitable location.

3.9.3.2 The purpose of creating new employment opportunities is to provide employment for local people and bring workers into the Neighbourhood Area. Access to supporting facilities from their place of work will enable people to link work and other activities minimising additional trips outside of the working day. This contributes to sustainability and an improvement in amenity

by reducing the need to undertake additional car journeys.

#### **BP1 – Provision of a business incubation centre**

Proposals for the provision of a business incubation centre will be supported. This should be similar to a scaled down version of the Harlow Enterprise Hub providing a centrally located managed facility with 10-20 rooms including meeting rooms. It should seek to address the following considerations:

- On-site parking facilities, good public transport links, cycle storage and links to the pedestrian and cycle network.
- The facility should be appropriate for the needs of small 'start-up' type business activity including street level access.

3.9.3.3 The provision of thriving local retail facilities which are amply supported by the community where they are presently unavailable would be of benefit to the community.

#### **BP2 – Local retailing facilities**

Proposals for local retail facilities which provide services to large-scale residential development will be supported. These local centres must provide for an appropriate mix of A1 to A5 use classes. Residential accommodation above the shops should be provided if possible. Any proposed development would be aligned with RTC1 of the District Plan 2018 or its successor policy but must not be at a scale that detracts from the offer in Bishop's Stortford town centre.



3.9.3.4 There is a need to improve digital connectivity within Bishop's Stortford, both for businesses and residents. The investment in the business infrastructure can create opportunities that are of wider benefit to the community and therefore such opportunities to provide collective benefits should be taken where they arise.

**BP3 – Provision of business communication infrastructure**

a) Up to date business communication infrastructure for the town is paramount and developers must ensure the following in any new development:

- That the necessary infrastructure is provided to enable new houses and development to connect to the highest broadband speed available in the area.
- In edge of town areas consider supporting the installation of public Wi-Fi internet facility for the benefit of all new development.

b) Installation of mobile communication equipment is to be supported when installed in such a manner as not to be prominent.

c) The provision of electric car charging points will be encouraged in all new business developments and will be a requirement for all major business developments.

**3.9.4 Objective: Support development in the town and commercial areas to ensure sustainable employment diversity**

**BP4 – Mixed developments**

The following will be supported subject to other applicable policies:

- Proposals which seek to enhance the employment opportunities in the town by providing a diverse mix of retail and commercial facilities.
- Developments and refurbishments that modernise existing employment facilities without detracting from the local building style.
- The regeneration or redevelopment of existing industrial sites to commercial business facility.

**BP5 – Edge of town development**

The following will be supported where possible and subject to applicable policies:

- the development of new industrial and/or commercial business uses at the edge of the town.
- the re-location of current industrial areas within the town or near the town centre to the edge of town, with access from the bypass (A120 and A1184), to enable change of use of those areas to residential.

**3.10 TOWN CENTRE**

3.10.1.1 The town centre still has the character of a historic market town. Whilst it has suffered, like many others, from a movement towards online and out of town shopping, the occupancy rates remain high. The Neighbourhood Plan contains policies which seek to ensure that the centre remains

### Common Policies

a vibrant and attractive focus for both retail and other activities.

#### **3.10.2 Objectives:**

- Create a more attractive pedestrian environment reconnecting with the river.
- Promote a holistic parking strategy balancing the needs of residents, businesses and visitors with the impact on the environment.
- Produce a framework for retail between national chains and independent shops.
- Identify flexible and adaptable employment uses to support the town's economy.
- To provide a balanced mix of residential, cultural, leisure and business uses within the Town Centre.

#### **3.10.3 Objective: Create a welcoming, prosperous and dynamic town centre through attractive, integrated refurbishment and development**

3.10.3.1 Bishop's Stortford town centre is described in the East Herts District Plan 2018 as the "largest shopping centre in the District". However, most residents of the town want it to remain as a historic town centre, whilst expecting it to be improved in terms of quality, diversity and use of resources, such as the river.



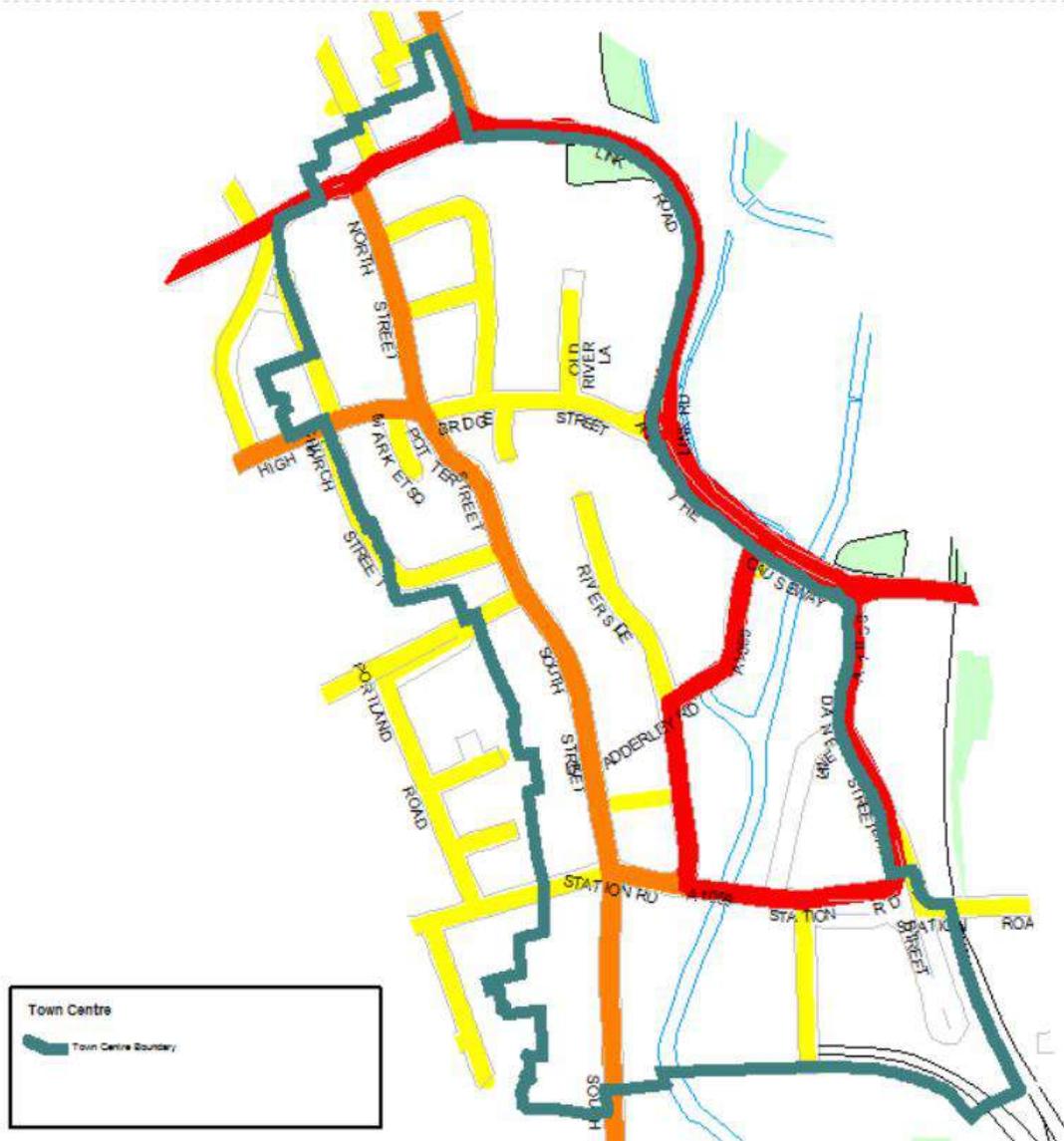


Figure 6 – Town Centre Boundary

3.10.3.2 Whilst the town centre buildings are relatively well maintained and a somewhat limited range of shops and enterprises present, there are some vacant premises and evidence of churn that present challenges for the appearance of the town centre. Evidence from the online town centre survey of shops and businesses carried out in November 2013 suggests that increasing the range and scale of good quality retail shops, particularly, is the best way to encourage footfall and bring the revenue needed to maintain the fabric of the town centre.

3.10.3.3 It is also important that the retail offering for the town centre remains located where the main shop frontages are now and does not lose vitality and accessibility by being distributed over a wider area. Most of the recognised town centre is within the Bishop's Stortford conservation area and this should provide a useful reference point for maintaining the character and standard of buildings generally within the town centre. Issues of parking in the town centre are addressed in the Transport Policies section.

3.10.3.4 National policy aimed at reversing the decline of town centres over recent years

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is likely to bring opportunities and challenges to the nature of our town centres. Any new development must be appropriate for the town as a whole and for the town centre in particular.

3.10.3.5 The town centre has attracted a number of large blocks of flats in recent years, still not fully occupied. So, whilst residential dwellings can be advantageous in bringing more people to the town centre, this type of imposing building is not liked by residents of the town and will not be favoured.

3.10.3.6 The primary shop front area of the town centre is bisected by a through route for vehicle traffic along South Street, Potter Street and Market Street. This leads to a barrier to pedestrian movement and undesirable levels of noise and air pollution as well as discouraging use of the street market.

3.10.3.7 The town centre with its many listed buildings, narrow pavements and hills is not easily accessible and has poor facilities for those of reduced mobility. There is a need to go beyond the statutory minimum, and East Herts Council policy, provision for such individuals when considering the merits of new developments.

#### **TC1 – Town Centre Planning Framework**

Development proposals in Bishop's Stortford Town Centre, as defined in Figure 6 above, should have regard to the Bishop's Stortford Town Centre Planning Framework and demonstrate broad compliance with the design guidance.

#### **TC2 – Future development of the town centre**

Significant<sup>6</sup> commercial or retail development will be considered against the following criteria:-

- New retail uses close to, or adjoining, existing primary retail frontages as defined in Table 1 below will be supported as will changeable modular structures.
- Proposals within or adjacent to the Conservation Area will be expected to harmonise with the aesthetic character of existing buildings. Elsewhere in the Neighbourhood Area, more innovative styles can be adopted with emphasis on light and space.
- Proposals that seek to reduce the volume of traffic flow and instances of stationary traffic along South Street will be encouraged. Contribution towards transport improvements should be in line with Hertfordshire County Council's recommendation's and seek to promote sustainable modes, encouraged through effective travel planning.
- Developments that go beyond the minimum provision for those of reduced mobility, for example by including disabled toilets under the Disability Rights UK 'Radar' scheme, or by providing suitable premises for motorised scooter hire, will be favoured.

#### **TC3 – Prosperity and character of the existing town centre**

a) A flexible approach to change of use will be encouraged to secondary shopping frontages as defined in table 1 below, as per RTC4 of the District Plan 2018. Where it contributes to a range of services aimed at supporting a strong

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<sup>6</sup> See Appendix 2 – Glossary for definition.

base of quality retail shops concentrated, as far as possible, close to the primary retail frontages.

b) Community services such as the library, post office, tourist office, CAB, GP surgery etc. will be encouraged to remain in the town centre area.

c) Temporary concessions will be considered for 'pop-up shops' and similar short term or seasonal enterprises, providing they do not conflict with the character of the town centre and of the time of the application support the vitality of the high street, aimed at meeting a target of at least 90% occupancy.

d) The street market operating two days a week in North Street, Market Square, Potter Street and South Street should be supported wherever possible as a valuable contribution to the vitality of the town centre.

**Table 1 – Bishop's Stortford Retail Frontages**

Primary Frontages	Secondary Frontages
1-3, 3a-13, 13a, 17 Bridge Street (Odd)	12-22 Bridge Street (Even)
2, 2a-10 Bridge Street (Even)	12-18 Church Street (Even)
2 High Street (Even)	1-25 Church Street (Odd)
1-19 Jackson Square (All)	1-13 Devoils Lane
14-16 Market Square (Even)	1-15 Florence Walk (All)
1-9 Market Street (Odd)	1-4 Hadham Road (All)
2-4, 10-34 North Street (Even)	4-10 High Street (Even)
1-23 North Street (Odd)	1-7 High Street (Odd)
9-15 Palmers Lane (Odd)	2-12 Market Square (Even)
	1-3 Market Street

1-35 Potter Street (Odd)	(Odd)
2-34 Potter Street (Even)	5-9 Newtown Road (Odd)
1, 1b-37 South Street (Odd)	38-42 North Street (Even)
2a, 2b, 2c-12, 12a-16, 16b-32, 32a-34 South Street (Even)	25-31 North Street (Odd)
	2-5 Riverside Walk (All)
	2-10 South Street Centre (All)
	39-45, 45a-47, 47a-79, 79a South Street (Odd)
	36-92, 92a-96, 100-102, 102a South Street (Even)
	1-5 Station Road (Odd)
	2-16 Station Road (Even)
	1-12, 12a-14, 19 Sworders Yard
	6 The Causeway
	1-5 The Dells





Neighbourhood Plans for  
Silverleys and Meads Wards  
and for All Saints, Central,  
South and Part of Thorley  
Parish (1<sup>st</sup> Revision) –  
Appendices

2021-2033

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Neighbourhood Plan for All Saints, Central, South and part of Thorley Parish © Bishop's Stortford Town Council 2016.

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Ordnance Survey

## 1 Appendix 1 – Policy Context and Background

The following plans and documents support the policies

### Climate Change

- National Planning Policy Framework
- East Herts District Plan (2018)
- East Herts Draft Climate Change Mitigation SPD 2019
- Heat Networks: Building a Market Framework 2020

### Housing and Design

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts draft District Plan (2015)
- East Herts District Plan (2018)
- Hertfordshire County Council Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (Adopted) November 2012
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document (Local Plan Second Review 2007)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014
- Strategic Land Availability Assessment 2015 (SLAA)
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today (2012)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East and South East Operating Area Housing Market Report (August 2014)
- EHDC Housing Needs Survey 2014/15
- Neighbourhood Plan for Silverleys and Meads Wards 2014–2031

- DCLG Technical Housing Standards – nationally described space and water efficiency standard (March 2015)
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

### **Green Infrastructure**

- National Planning Policy Framework
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014/15
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Local Plan and the Open Space, Sports and Recreation Supplementary Policy Document, 2009 ([www.eastherts.gov.uk/openspacespd](http://www.eastherts.gov.uk/openspacespd))
- East Hertfordshire Council's draft 'Parks and Open Spaces Strategy' 2013-2018
- East Herts Green Infrastructure Plan 2011
- Everyone Matters – A Sustainable Community Strategy for East Hertfordshire 2009-2024
- Hertfordshire Biodiversity Action Plan 2006
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012 – see green spaces elements
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- A Vision for the Future – Bishop's Stortford Waterspace & Landscape Strategy 2009
- British Plant Communities Volume 3: Grasslands and Montane Communities
- British Plant Communities Volume 1: Woodlands and Scrub
- British Standards Publication BS 42020: 2013. Biodiversity – code of practice for planning and development
- Bishop's Stortford Heritage and Character Assessment, February 2016, AECOM
- Thames River Basin Management Plan (TRBMP), Oct 2015
- East Herts Strategic Flood Risk Assessment (SFRA) 2008
- Defra: Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services, Aug 2011
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- HM Government: A Green Future: Our 25 Year Plan to Improve the Environment 2018

### **Transport**

- National Planning Policy Framework

- East Herts Local Plan Second Review 2007
- East Herts District Plan (2018)
- Supplementary Planning Document, Vehicle Parking Provision at New Development, June 2008
- Hertfordshire Local Transport Plan 3
- Hertfordshire Local Transport Plan 4
- Hertfordshire County Council Bus Strategy 2011–2031, June 2011
- Hertfordshire County Council Rail Strategy, April 2011
- 'Roads in Hertfordshire', Highway Design Guide 3rd Edition
- Urban Transport Plan - Stage 1 Report, Steer Davies Gleave 2010
- East Herts Air Quality Planning Guidance Document (2016)
- Hertfordshire Air Quality Management Plan (Policy 13.9)
- Travel Plan Guidance for Business and Residential Development, Hertfordshire County Council (Emerging document, Consultation January 2014)
- Neighbourhood Plan Questionnaire 2014
- Hertfordshire Travel Survey 2012 Report
- Hertfordshire County Council Local Transport Plan Live [www.hertsdirect.org/ltp](http://www.hertsdirect.org/ltp)
- Hertfordshire County Council Corporate Plan 2013-2017
- Sustrans Design Manual 'Handbook for Cycle-friendly Design' April 2014
- London Cycle Design Standards (March 2015)
- HCC Active Travel Strategy April 2013
- Manual for streets 2007
- Department for Transport Cycling and Walking Investment Strategy (March 2016)
- Herts Traffic and Transport Data Report 2014
- Department for Education Home to School Travel and Transport Guidance, July 2014

## **Education**

- National Planning Policy Framework
- BS Town Council NP for Silverleys and Meads Wards 2014–2013
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan January 2014
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan Questionnaire 2015

### Health

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts draft District Plan (Preferred Options Consultation) January 2014
- East Herts District Plan (2018)
- East Herts Draft Health and Well-being Strategy
- East Herts Health Profile 2015
- <http://www.hertsdirect.org/your-council/hcc/partnerwork/hwb/>
- East and North Herts Trust Priorities: <http://www.enherts-tr.nhs.uk/>
- Princess Alexandra Hospital NHS Trust Priorities: <http://www.pah.nhs.uk/>
- Bishop's Stortford Neighbourhood Plan Questionnaire, December 2014

### Sport, Leisure and Community

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads 2014
- East Hertfordshire District Council Bishop's Stortford North S106 Sports Investment Strategy December 2015
- East Herts District Council Sport Investment Strategy Report findings
- 2009 Supplementary Planning Document 'Open Space, Sport and Recreation'
- East Herts Playing Pitch and Outdoor Sports Audit 2010
- East Herts Assessment of Sports Facilities 2011
- Sport England: Village and Community Halls Design Guidance Note, reference 1038, January 2001)
- Charity Commission: Village Halls and Community Centres, reference RS9, December 2004

### Business and Employment

- National Planning Policy Framework
- East Herts Local Plan Second Review 2007
- East Herts Draft District Plan 2014
- East Herts District Plan (2018)
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)
- DTZ Economic Development and Employment Growth report for East Herts Council 2012.

- Nathaniel, Litchfield & Partners Retail and town centre Report, September 2013
- Peter Brett Associates, town centres and Retail report October 2014
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- The A10/M11 Growth Area Economy, Hertford LEP, June 2015
- The London-Stansted-Cambridge Corridor: Economic Characteristics and Performance report - January 2016
- Business Stortford [www.businessstortford.com](http://www.businessstortford.com)

### **Town Centre**

- East Herts District Plan (2018)
- Bishop's Stortford Town Centre Planning Framework

### **The Goods Yard**

- National Planning Policy Framework
- East Hertfordshire Local Plan Second Review 2007 (the East Hertfordshire Local Plan) & East Herts draft District Plan 2014.
- East Herts District Plan (2018)
- Bishop's Stortford Neighbourhood Plan Questionnaire 2014
- Wessex Economics, Town Wide Employment Study for Bishop's Stortford, for East Herts Council (2013)
- TFL Transport Interchange Guide
- Herts County Urban Travel Plan for Bishop's Stortford (2012?)
- Herts County Travel Survey 2012
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Bishop's Stortford Draft Conservation Area Appraisal & Management Plan', prepared in August 2012.
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- Building for Life 12: Third Edition – January 2015
- EHDC Goods Yard Development Brief  
[http://www.eastherts.gov.uk/media/pdf/t/i/Agreed\\_Goods\\_Yard\\_Brief\\_-\\_July\\_2011.pdf](http://www.eastherts.gov.uk/media/pdf/t/i/Agreed_Goods_Yard_Brief_-_July_2011.pdf)
- Communities and Local Government Planning Policy Statement 25 (2006) 'Development and Flood Risk'
- East Herts Strategic Flood Risk Assessment
- AECOM Bishop's Stortford Heritage and Character Assessment (Feb 2016)

### Bishop's Stortford South

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)
- Bishop's Stortford Town Council Neighbourhood Plan Questionnaire, December 2014
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: Third Edition – January 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)
- East Herts Adopted Local Plan (April 2007)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15
- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Plan (2018)
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith, Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012

- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies
- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002-2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013 – 2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics - Land South of Bishop's Stortford
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October – 4 December 2015)
- West Essex and East Hertfordshire Strategic Housing Market Assessment (Sept 2015)
- Gov.uk Public Rights of Way – landowner responsibilities

### **Bishops Stortford High School Site**

- National Planning Policy Framework
- Planning Practice Guidance Note (PPGN - paras 044 and 045)
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley Questionnaire, December 2014
- Bishop's Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley, Draft December 2015
- Bishop's Stortford Heritage and Character Assessment Draft AECOM 2016
- Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards 2014
- Bishop's Stortford Town Plan Questionnaire, Full Report (2010)
- British Standards Publication BS 42020: 2013 Biodiversity – code of practice for planning and development
- Building for Life 12: 3rd Edition – Jan 2015
- DCLG Technical housing standards – nationally described space standard
- Defra: Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2 October 2009
- East and South East Operating Area Housing Market Report (August 2014)
- East Hertfordshire Council's draft 'Parks and Open Space Strategy' 2013 – 2018
- East Herts Local Plan Second Review 2007 (the East Hertfordshire Local Plan)

- East Herts Adopted Local Plan (April 2007)
- East Herts District Plan (2018)
- East Herts Council's Affordable Housing and Lifetime Homes Supplementary Planning Document
- East Herts District Council Housing Needs Survey 2014/15
- East Herts District Council Local Plan and Open Space, Sports and Recreational Supplementary Policy Document
- East Herts District Council Strategic Housing Market assessment January 2010 and update March 2013
- East Herts District Council Strategic Land Availability Assessment (SLAA)
- East Herts District Green Belt Review September 2015
- East Herts Draft District Plan Jan 2014
- East Herts Green Infrastructure Plan 2011
- East Herts Health and Wellbeing Strategy 2013-2018
- East Herts District Council Appeals by governors of Bishops Stortford High School and the Hertfordshire and Essex High School and Science College, Hertfordshire County Council and Countryside properties report by David Wildsmith an Inspector for the Secretary of State for Communities and Local Government Feb 2012
- The Secretary of State for Communities and Local Government's Decision September 2012
- Hertfordshire Biodiversity Action Plan 2006
- Hertfordshire County Council Waste Core Strategy & Development Management policies
- Hertfordshire Infrastructure and Investment Strategy Nov 2009
- Hertfordshire Infrastructure and Planning Partnership (HIPP)
- Hertfordshire Minerals Local Plan Review 2002–2016 (Adopted 2007)
- Secured by Design (Guidance owned by the Association of Chief Police Officers)
- Southern Country Park & Beyond – Management Plan 2013–2018
- Sport England Village & Community Halls
- The Office of National Statistics - Neighbourhood Statistics
- The vision as set out in the Bishop's Stortford 2020 Group document (2009/10)
- Town and Country Planning Association: Creating Garden Cities and Suburbs Today
- Uttlesford District Council's Local Plan Issues and Options Consultation (22 October–4 December 2015)
- West Essex and East Herts Strategic Housing Market Assessment (Sept 2015)

## 2 Appendix 2 – Glossary

Term	Definition
Affordable Housing	Housing made available, based on the evidence of need, to people who are unable to afford housing at market prices. Affordable housing includes social, rented and shared ownership housing, provided to eligible households whose needs are not met by the market, and that specifically excludes low cost market housing.
Air Quality Management Area	An area where air pollution is likely to exceed National Air Quality Objectives under the Environment Act (1995), particularly due to road traffic emissions. The area is subject to a programme of assessing air quality against national targets and the development of remedial measures to improve air quality.
Ancient Woodland	Woodland known to have existed continually in a location since before 1600.
Brownfield Site	Land that has been previously developed on.
BSN	Bishop's Stortford North Consortium. A consortium of developers which has received planning permission to develop ASRs 1–4, and consisting of Bovis Homes, Taylor Wimpey, The Fairfield Partnership, Persimmon, and Keir.
Business Incubation Centre	A facility which provides micro business the opportunity to work in an office/ workplace environment within the same building as others. All occupants have access to shared facilities such as reception, Wi-Fi, telephony and meeting rooms along with the ability to meet informally and discuss business matters not necessarily in the same industry.
Conservation Area	An area designated under Section 69 of the Town and Country Planning Act 1990 as being of 'special architectural or historical interest', the character and appearance of which it is desirable to preserve and enhance.
Construction Management Plan	A plan detailing how construction will be managed in order to ensure the effects of construction on residents and businesses is kept to a minimum.
Developer Contributions (or S106 Contributions)	Contributions required under a Section 106 agreement from development to be set aside for future works and services directly related to the development.
Development Plan	Statutory Plans, including Local or District Plans and Neighbourhood Development Plans which are used to determine planning applications.
Exception Test	See Sequential and Exception Tests.
Floodplain	An area of land liable to flood from a watercourse, defined by the Environment Agency.
Garden City	The Town and Country Planning Association characterises a Garden City or Suburb as having generous green spaces linked to the wider natural environment, including a surrounding belt of countryside, with a well-managed network of public parks, private gardens, tree-lined streets

	and open spaces. It should have beautifully and imaginatively designed homes with gardens, combining the very best of town and country living to create healthy homes in vibrant communities. Furthermore, it should enjoy strong local cultural, recreational and shopping facilities in walkable neighbourhoods and have integrated and accessible transport systems. Communities should be fostered by long term stewardship of assets, such as allotments, and be sustainable through having a variety of employment opportunities within easy commuting distance of homes. A variety of mixed-tenure homes and housing types that are affordable for ordinary people should also be available.
Green infrastructure	A network of green spaces and other features, such as parks, open spaces, woodlands, playing fields, allotments and gardens providing a range of quality of life benefits for the local community.
Greenfield Site	Land where there has been no previous development.
Housing Associations	Independent, not-for-profit organisations that work with councils to offer flats and houses to local people on the Housing Register.
Infrastructure	Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.
Lifetime Homes	The 'Lifetime Homes' standards seek to make homes more flexible, convenient, safe, adaptable and accessible than most new homes, as defined in the EHDC Affordable Housing & Lifetime Homes Supplementary Planning Document.
Listed Building	Any building or structure which is included in the list of 'buildings of special architectural or historic interest' as defined in the Planning (Listed Building and Conservation Areas) Act 1990.
Local Referendum	A direct vote in which electors in the Neighbourhood Area (or larger area if recommended by the Independent Examiner) will be asked to either accept or reject the Neighbourhood Development Plan.
Major Development	A development defined as major development in The Town and Country Planning (Development Management Procedure) (England) Order 2010 i.e. Development involving any one or more of the following— (a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where — (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i); (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more;

Mitigation	Measures taken to reduce adverse effects of a development.
Modal Shift	The trend that sees more journeys made by a sustainable form of transport, usually away from cars and towards walking, cycling or public transport.
National Planning Policy Framework	Sets out national policy and how this is expected to be applied.
Neighbourhood Area	Area to which a proposed Neighbourhood Development Plan or Neighbourhood Development Order will relate.
Neighbourhood Plan	A local plan prepared by a parish council and community representatives for a particular neighbourhood area, which includes land use topics. If accepted by an independent examiner and passed by a simple majority at referendum, the Plan carries equal weight to other adopted local plans.
Objective	An aim or a goal to assist in achieving the overall vision for the area.
Open Space	All open space of public value including land, rivers, canals and lakes which offer important opportunities for recreation and can act as a visual amenity.
S106 Contributions	See Developer Contributions.
Secured by Design	The official flagship initiative of the Association of Chief Police Officers, supporting the principles of 'designing out crime'.
Sequential and Exception Test	The methodology recommended by the National Planning Policy Framework to ensure that new developments are sited in the most appropriate locations.
Shared Equity Housing	Shared equity is where more than one party has an interest in the value of the home, with the aim of reducing the cost of occupancy, e.g. an equity loan arrangement or a shared ownership lease.
Shared Space	Shared space is a design approach that seeks to change the way streets operate by reducing the dominance and speed of motor vehicles. No particular class of usage within the space has priority over any other when moving around and responsibility for safe and free movement is shared by all.
Sheltered Housing	Housing which is purpose built or converted exclusively for sale to elderly people with a package of estate management services and which consists of grouped, self-contained accommodation usually with communal facilities and normally with a warden.
Significant Development	A development of a scale sufficient to trigger the requirement for a Transport Assessment in accordance with Roads in Hertfordshire: Highway Design Guide 3 <sup>rd</sup> Edition i.e.: Residential development in excess of 80 units Non-food retail development of more than 1,500m <sup>2</sup> Gross Floor Area (GFA) Class B1 Business of more than 2500m <sup>2</sup> GFA Class B2 General industrial of more than 4,000m <sup>2</sup> GFA Warehousing (use class B8) of more than 5,000m <sup>2</sup> GFA

Social Housing	Subsidised housing for rent allocated on the basis of need.
Supplementary Planning Document	Documents which add further detail to the policies in the Local or District Plan. They can be used to provide further guidance for a development of specific sites or a particular issue.
Supported Housing	As for 'Sheltered Housing', but designed for those with physical or learning disabilities rather than just the elderly.
Sustainable Communities	Places where people want to live and work, now and in the future.
Sustainable Development	Development that allows change without damaging the environment or natural resources and that meets the needs of the present, without compromising the ability of future generations to meet their own needs.
Town Plan Survey	A survey of Bishop's Stortford residents carried out in October 2008 to which 4,000 replies were received. The survey led to the creation of a Town Plan setting out numerous actions many of which have been implemented. The plan was updated in 2011 and several of the longer term actions continue.
Vision	A series of statements describing how an area would like to be at some time in the future.

### 3 Appendix 3 – AECOM Character Assessment Summary

This Appendix contains a summary of the AECOM Heritage and Character Assessment for the Neighbourhood Area divided up to describe the land and townscape features of each sub-area. As developments arise in any sub-area, it is expected that the Key Character Management Principles applicable for that sub-area will guide developers in designing suitable buildings, streets and spaces for their location.

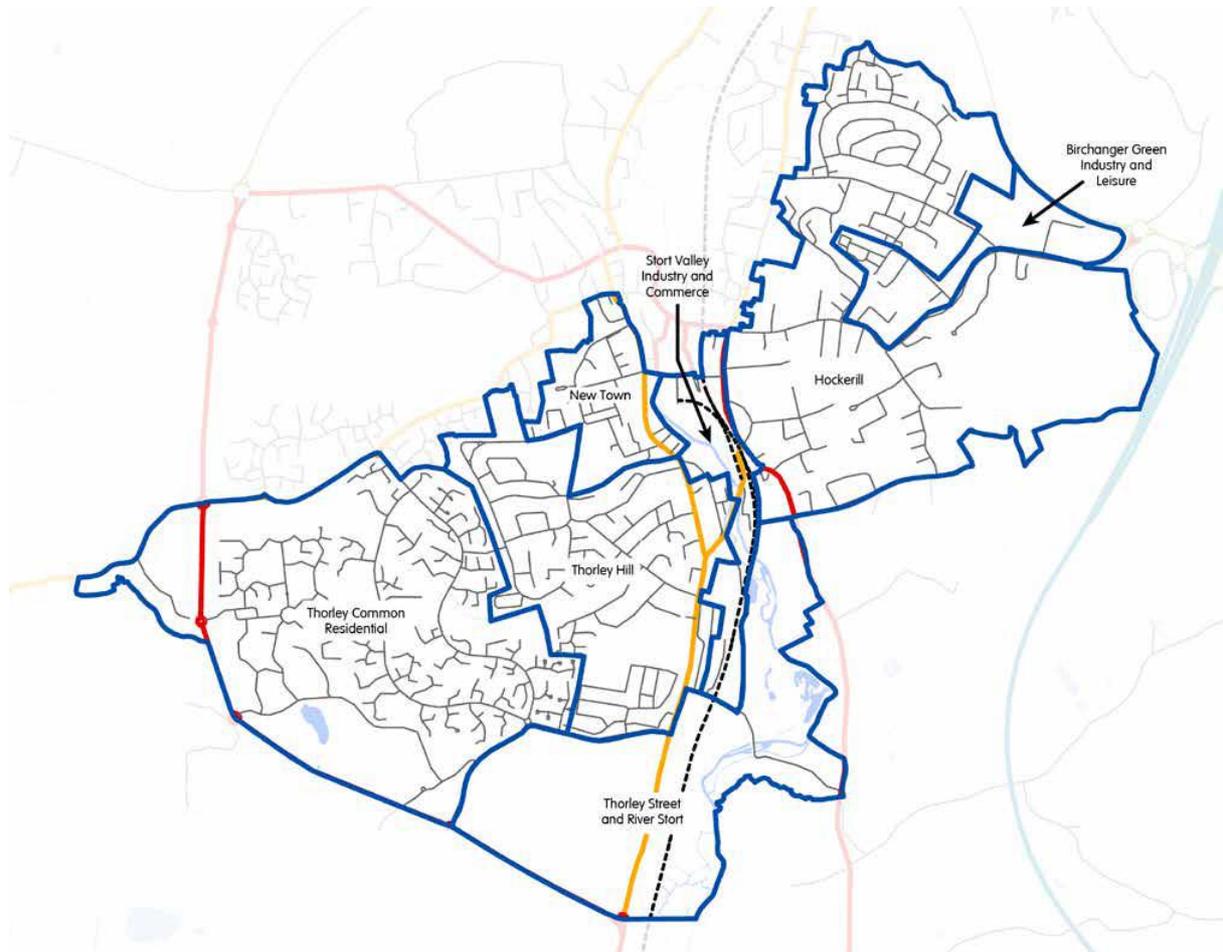


Fig 11 – Map showing the seven Townscape Character Sub-areas

- TCA01 – Hockerill
- TCA02 – Birchanger Green
- TCA03 – Stort Valley
- TCA04 – Newtown
- TCA05 – Thorley Common
- TCA06 – Thorley Hill
- TCA07 – Thorley Street and River Stort

<b>Sub-area ID</b>	<b>Name</b>	<b>NP Policy Reference</b>	<b>Key Character Management Principles</b>
TCA 01	Hockerill	HDP2/BSEM1	Future development adjacent to green belt should provide a buffer of green space on the edge
		HDP2/BSEM1	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Views along Parsonage Lane and Warwick Lane towards the town centre and higher ground to the west of the town should be retained
		HDP2/BSEM1	New residential development should respect the existing proportions of the street, with building frontages set back behind generous front gardens, and scale of adjacent buildings and the shape and continuity of the roof lines
		HDP2/BSEM1	Development in the north should seek to strengthen the existing structure of the landscape and retain the wooded backdrop to longer distance views
		HDP2	The setting of historic buildings which are locally distinctive, such as the Nags Head Public House, should be protected and enhanced
		GIP1	Birchanger Wood should be protected and enhanced through active management
		HDP1/GI	A strategy for street tree management and replanting to increase the age structure and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
TCA 02	Birchanger Green	HDP2/BP8	Future development should consider opportunities to introduce a mix of uses
		HDP2	The scale of new buildings should be minimised and should be no taller than the surrounding residential development around the boundaries of the area
		HDP2	Mature trees, woodland and hedgerows, which divide the area and enclose development, should be reinforced and enhanced

		TP4	Routes across the area for pedestrians and cyclists should be improved to enhance permeability and legibility
		BP10	A strategy should be developed to manage traffic and on-street parking within the area
		BP8	A strategy to reduce the visual impact of signage within industrial estates should be considered
TCA 03	Stort Valley	HDP2/GY1	Proposals for new development should be of high architectural quality, should demonstrate an understanding of the history and context of the area and make reference to vernacular style and materials and the scale of adjacent buildings
		GY1	Development within the northern part of the area should sustain and reinforce the historic and cultural links between the town and river
		HDP2/GY1	Development should be set back from the River Stort and the intervening space should be publicly accessible and include generous areas of public green space
		GY1	Development should not exceed four storeys in height to maintain views across the town from the east and west and with landmarks
		GY1	Opportunities to create a more active edge to Station Road and Anchor Road should be explored to improve the quality and vibrancy of the public realm
		GY1	A common pallet of materials, street furniture and signage should be developed to enhance the quality and legibility of the public realm
		GY2	Links between the town centre and railway station should be enhanced through a comprehensive public realm scheme
		GY6	Connectivity to the River Stort green corridor for pedestrians and cyclists should be enhanced
TCA 04	New Town	HDP2/BP6	Future development should maintain views from green space and along streets in the west of the St Michael's Church and across roof tops within the town centre. Development proposals in excess of four storeys are not likely to be acceptable
		HDP2/BP6	Development along South Street and Potters Street north of Station Road should incorporate active frontage and

			improvements to the quality and appearance of shop fronts should be supported
		HDP2/BP6	Future development within the Conservation Area should retain and enhance original shop fronts.
		HDP2	The high quality public realm in the northern parts should be extended to enhance legible connections and permeability of the area
		HDP2	In streets where front gardens are common, proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable
		HDP2	Development proposals south of Station Road between South Street and the River Stort should create physical connections with the river and enhance its setting and accessibility to the public
		HDP2	The junction of South Street and Station Road should be enhanced through development and public realm improvements to reinforce this key node between the station and the town centre
TCA 05	Thorley Common	HDP2	The strong landscape framework which encloses and divides the area should be protected and sustained
		HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2	Development should protect and enhance existing blocks and belts of woodland and incorporate new planting to further enhance the quality of the area
		HDP2	Development should sustain views across green space to local landmarks and wooded hills beyond to maintain legibility
		HDP2	A strategy should be developed to improve legibility through the residential estates in this area and provide connections between adjacent residential areas for pedestrians and cyclists
		GIP1	Active use of the green spaces on the edges of the area should be encouraged to deter fly tipping

TCA 06	Thorley Hill	HDP2	Proposals which retain or enhance well-vegetated front gardens that demonstrate a strong relationship with the street are more likely to be acceptable than proposals to introduce substantial areas of paving for parking
		HDP2/BSHS1	Infill development should reflect the scale, density and roof line of adjacent buildings, and arrangement and offsets of buildings from the street and should include front gardens
		GIP1	A strategy for street tree management and replanting should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		GIP2	Public green space within the residential estates should be protected and enhanced
TCA 07	Thorley Street and River Stort	HDP2/BSS1	Future development in the south of the area should provide a clear transition between town and countryside and incorporate new green spaces and wherever possible, integrate existing vegetation
		BSS1	A buffer of green space should be provided along Thorley Street to protect the setting of the area and the many listed buildings along London Road
		GIP2	The semi-natural character of the River Stort corridor and Rushy Mead Nature Reserve should be protected and enhanced through active management
		BSS1	The materials proposed for any new development should be responsive to the vernacular style and materials of the area
		GIP?	A strategy for street tree management and replanting along London Road should be developed to increase the age structure of tree stock and range of species to ensure continuous contribution of tree cover to streets, increased diversity and resilience to environmental change
		TP4/BSS14	Opportunities to increase and improve connections between Thorley Street, the River Stort and Rushy Mead Nature Reserve should be maximised
		BSS1	Proposals which retain or enhance well-vegetated front gardens are demonstrate a strong relationship with the

			street are more likely to be acceptable than proposals to introduce substantial areas of paving for use as driveways
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## 4 Appendix 4 – Potential Encroachment of Plan Allocations on Consultations Zones

HSE Reference Number	TRANSCO Index Number	Pipeline Operator	Pipeline / Location Name	Location Map Reference (Start)	Location Map Reference (Finish)	Inner Zone (Metres)	Middle Zone (Metres)	Outer Zone (Metres)
7547	1804	National Grid Gas PLC	Thorley / Bishops Stortford (1TNO)	TL 480198	TL 491205	15	15	15

# Agenda Item 13

## **East Herts Council Report**

### **Executive**

**Date of meeting: 12 July 2022**

**Report by: Councillor Geoffrey Williamson Executive Member for Financial Sustainability**

**Report title: Social Value Policy**

**Ward(s) affected: All**

**Summary** - This reports presents the council's Social Value Policy, to the Executive for approval. The policy sets out a set of local Themes, Outcomes and Measures ("TOMs") that will assist in leveraging investment in the councils SEED priorities through procurement and, on a voluntary basis, until the District Plan is revised for major development planning applications.

### **RECOMMENDATIONS FOR EXECUTIVE:**

- a) Approve the Social Value Policy at Appendix A;**
- b) Delegate to the Head of Legal & Democratic Services the authority to amend Contract Procedure Rules to reflect the new policy;**
- c) Endorse the Social Value Maturity Index results and the suggested action plan items for improvement at Appendix C; and**

**d) Approve that Cllr Williamson be the lead Member for Social Value and that the Head of Strategic Finance & Property be the lead officer with responsibility for reporting, managing and delivering Social Value across procurement and commissioning.**

## **1.0 Proposal(s)**

1.1 East Herts Council, in its corporate plan, is committed to:

1.1.1 Sustainability at the heart of everything we do;

1.1.2 Enabling our communities

1.1.3 Encouraging economic growth

1.1.4 Digital by default

1.2 To maximise the local impact of the Council's activity and spending in achieving our corporate plan, this policy is a key enabler in securing additional benefits – social, economic, and environmental, together known as social value – that support this vision. The objectives of implementing this social value policy are to:

1.2.1 Introduce a social value management tool that supports the delivery of our strategic priorities for the people and environment of East Hertfordshire;

1.2.2 Provide a consistent approach to measuring and supporting social value throughout the procurement cycle;

1.2.3 Define and implement a robust, transparent, and efficient digital solution for assessing and awarding the social value segment of tenders, and managing relevant supplier performance during the contract lifecycle;

- 1.2.4 Allow contractors to compare their own social value performance by sector and build, over time, industry benchmarks to understand 'what good looks like' in East Hertfordshire; and
- 1.2.5 Reduce the uncertainty surrounding social value measurement for bidders, allowing them to make informed decisions based on robust assessments and hence to embed social value into their corporate strategies.

## **2.0 Background**

- 2.1 The Public Services (Social Value) Act 2012 requires an authority to consider how what is proposed to be procured might improve the economic, social, and environmental wellbeing of the relevant area, and how, in conducting the process of procurement, it might act with a view to securing that improvement.
- 2.2 The Act does not prescribe what form this consideration might take or how the procurement process should be adapted to incorporate social value. The key question with respect to social value in a procurement process is the same as it is for any other element of the procurement, namely on what basis the council will determine the most advantageous of the options presented. In general terms, comparability – and therefore some form of measurement system – are key to incorporating social value in procurement.
- 2.3 Incorporating social value into East Herts procurement process is very low cost, yet it is a change that can make a real difference to people in the local community, to service delivery

and to the council's spending plans. It is proposed the council adopts the National Social Value Measurement Framework or, more commonly, the "TOMs" (its structure is based on Themes, Outcomes and Measures) to underpin and empower the objectives of this policy. Having one reporting standard allows us to unlock, measure and report the social value delivered by suppliers, delivery partners and ourselves during the provision of goods, works and services.

- 2.4 In recent years, the TOMs have become the most used framework in the UK, thus promoting consistency and comparability amongst providers and buyers of public services across the UK. The National TOMs were launched in 2017 by the [National Social Value Taskforce](#), chaired by the Local Government Association, with over 40 members from organisations representing central and local government, the private sector and the third sector.
- 2.5 The National TOMs provide a flexible, measures-based calculation framework designed to articulate social value outcomes in terms that can be objectively assessed. It was conceived and developed to be evidence-led and applicable over the 'whole life' of a contract or a single purchase.
- 2.6 Each of the Measures behind the Outcomes has been assigned a proxy value which allows organisations to report their delivery in financial and non-financial terms. These values were agreed by the National Social Value Taskforce and stem from public sector data sources such as the Unit Cost Database (UCD), following benefit analysis techniques as outlined in the

HM Treasury Green Book and other relevant monetary valuation techniques, such as benchmarking of market prices.

2.7 There are several benefits to using both the National TOMs and the tendering and contract management portal, known as the Social Value Portal (“the Portal”) for the Council. We will be able to:

2.7.1 Objectively compare and benchmark year on year social value delivered between contracts and services, to seek sharing of best practice and drive better performance

2.7.2 Gain a deeper understanding of where social value is being generated within our suppliers and areas - as well as where more social value could be unlocked to improve outcomes

2.7.3 Puts a common language (the £) against the positive impact our spending brings to the area, to inform service planning and commissioning

2.7.4 Being better informed, about where further social value could be unlocked locally, will develop, and support our communities, in turn creating a more resilient, healthier, and prosperous East Herts.

2.8 During the negotiations with the incumbent contractor to exercise the option to extend the parking contract, we trialled the social value approach. As well as gaining an annual saving of £10,000 on the contract, the contractor undertook to replace all their diesel vehicles with electric vehicles from the start of the 2 year extension and also undertook to make air quality monitoring data available to the council.

- 2.9 The Social Value Policy will apply to all procurement exercises with an estimated value of £75,000 and above where possible (it may not be possible for procurements via frameworks unless the framework permits it). The policy sets out that Social Value should be scored alongside Price and Quality and that Social Value must be 10% of the overall evaluation score. This is the same percentage as applied by central government and the National Health Service.
- 2.10 The Social Value Policy is set out in Appendix A. The non-priority TOMS are set out in Appendix B.
- 2.11 As part of the policy development the council was scored against the Social Value Maturity Index as to where we are now and where we should be when the policy has been approved and embedded into the procurement process. This is shown at Appendix C. As part of strengthening our internal management score it is recommended that Cllr Williamson be the lead Member for Social Value and that the Head of Strategic Finance & Property be the lead officer with responsibility for reporting, managing and delivering Social Value across procurement and commissioning.
- 2.12 The report was considered by Overview & Scrutiny Committee at its meeting on 21 June 2022. There were no comments for the Executive to consider.

### **3.0 Reason(s)**

- 3.1 Whilst there is a legal duty to consider Social Value, a more structured approach to secure wider social, economic, and

environmental benefits has been shown to deliver additional Social Value to taxpayers and have the potential to contribute to 'levelling up' and 'build back better'.

- 3.2 In the Levelling Up white paper the Government has signalled its intention to "legislate to put social value at the heart of government spending – weaving a thread of social improvement and civic responsibility through the UK Government's £300bn annual expenditure on procurement". It is therefore important for the council to have a social value policy to ensure we are helping to level up across the district.

#### **4.0 Options**

- 4.1 Adopt the policy at Appendix A – **Recommended** - so that the council complies with the duties under the Public Services (Social Value) Act 2012.
- 4.2 Not adopt the policy – **Not recommended** – the council will not be in compliance with the Public Services (Social Value) Act 2012 and will not be able to gain the benefits of social value in terms of social, economic, and environmental benefits that will support delivery of the corporate plan.

#### **5.0 Risks**

- 5.1 The social value policy is considered low risk. Not having a social value policy is high risk as the council will struggle to demonstrate compliance with the Public Services (Social Value) Act 2012.

## **6.0 Implications/Consultations**

### **Community Safety**

No

### **Data Protection**

Yes - the social value portal does not hold any sensitive or personal data and reports summary information provided by contractors that would be freely available under the Freedom of Information Act.

### **Equalities**

Yes – The social value policy lists as priorities gender balance in the workplace and ethnic diversity

### **Environmental Sustainability**

Yes – The social value policy contains priorities that will assist to deliver action on climate change and environmental sustainability

### **Financial**

Yes – the social value policy will not raise contract costs but will provide a return on the money East Herts Council spends directly for the benefit of the district.

The use of the social value portal will be charged for but Stevenage Borough Council is negotiating access for all the local authorities in Hertfordshire and there may be funding available to mitigate the costs in early years. Once the cost is notified by Stevenage officers will judge the value for money of using the portal and may need to report back to Executive that the policy will require amendment to use the TOMS but not the social value portal.

### **Health and Safety**

Yes – healthy workplaces is one of the priority outcomes of the social value policy.

## **Human Resources**

Yes – officers undertaking procurement will require training in the new policy and use of the social value portal.

## **Human Rights**

Yes/No

## **Legal**

Yes - The Public Services (Social Value) Act 2012 requires an authority to consider how what is proposed to be procured might improve the economic, social, and environmental wellbeing of the relevant area, and how, in conducting the process of procurement, it might act with a view to securing that improvement.

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

Appendix A – Social Value Policy

Appendix B – Non-Priority TOMS

Appendix C – Social Value Maturity Index and action plan

## **Contact Member**

Cllr Geoffrey Williamson

Deputy Leader and Executive Member for  
Financial Sustainability

[geoffrey.williamson@eastherts.gov.uk](mailto:geoffrey.williamson@eastherts.gov.uk)

## **Contact Officer**

Steven Linnett, Head of Strategic Finance &  
Property

Contact Tel. No. 01279 502050

[steven.linnett@eastherts.gov.uk](mailto:steven.linnett@eastherts.gov.uk)

**Report Author**

Steven Linnett, Head of Strategic Finance &  
Property

# **East Herts Council Social Value Policy**

## **Introduction**

The Public Services (Social Value) Act 2012 requires all public bodies in England and Wales to consider how the services they commission and procure might improve the economic, social and environmental well-being of their area. It asks public bodies to consider the ways that they could benefit society as part of each decision made. Social value requires officers to think about how they achieve outcomes in a more integrated way, rather than thinking about isolated services or services in the short term. This approach requires officers to consider long term costs, sustainability and how inclusion of additional social value outcomes can potentially reduce pressures in other areas.

East Herts Council embraces the spirit of the Public Services (Social Value) Act 2012. Improving social, environmental and economic wellbeing will help support priorities to build community capacity and resilience. Therefore East Herts Council will apply, as appropriate, the broad principles of social value to all commissioning and procurement arrangements, no matter the value of the goods or services being procured

This Social Value Policy Statement outlines how East Herts Council will embed social value and demonstrates the council's commitment to delivering social value benefits through its commissioning and procurement arrangements.

## **What do we mean by social value?**

The term 'social value' refers to approaches which maximise the additional benefits that can be created through the delivery, procurement or commissioning of goods and services, above and beyond those directly related to those goods and services.

East Herts Council recognises that social value is about maximising the impact of public expenditure. Social value is defined as the additional benefit to the community from a commissioning / procurement process over and above the direct purchasing of goods, services and outcomes.

## **How will we deliver social value?**

The overall approach to delivering Social Value is to agree proportionate and relevant social value outcomes with suppliers during the procurement. There are two different, but complementary routes through which this can be achieved. Firstly, Social Value can be built into the contract as a performance obligation within the requirements/specification. Secondly, suppliers can be asked to be innovative about how they might deliver additional Social Value through the contract, and their responses are assessed as part of the overall evaluation process. Note, that these routes are not necessarily independent i.e. both may be used within the same procurement process.

### **Performance Obligation route**

The officer leading the procurement, in developing the requirements/specification for the contract, should consider the nature of the contract and the Social Value priorities described below. Where the lead officer considers that specific additional Social Value obligations are appropriate and relevant then these should be included in the requirements/specification. It is important that these obligations support the council's overall strategic priorities and are proportionate to the goods and/or services being delivered under the contract.

Examples of Performance Obligation Social Value requirements are:

- a construction contract that includes targeting local recruitment and training for construction related skills;
- a catering contract which requires the use of seasonal, locally sourced ingredients and specifying active reductions in "food miles" over the life of the contract; and
- a grounds maintenance contract requiring the use of indigenous plants only or specifying low maintenance wild areas, where appropriate, to increase biodiversity and reduce harm to the environment. .

### **Evaluation route**

Tender documents should ask suppliers, as part of their response, to consider the Council's required Social Value outcomes to describe how they might support these areas in delivering the core requirements of the contract. This route offers greater opportunity for potential suppliers to be innovative in their responses, and does not restrict suppliers to considering Social Value benefits

within the constraints of the scope of the contract. It is also possible within this approach to specify the required outcomes but not how they might be achieved, which can be left open for suppliers to develop proposals.

Examples of Social Value that might be offered by suppliers through this route include:

- A provider that invests in programmes to help local long-term unemployed people into training, qualifications and employment.
- A provider that wins a contract to undertake property maintenance and repair work, and offers to provide building materials and labour, free of charge, to local community organisations.
- A provider that wins a contract to undertake property maintenance and repair work, and offers to also promote careers in construction and trades to local schools, and commits to employing young people.

Lead officers should ensure that procurement documents, in particular the Evaluation Model, allow potential providers to outline how they will deliver Social Value in addition to the core requirements of the contract. It is essential lead officers ensure that procurement documents are clear on how responses will be assessed and evaluated. All procurements £75,000 and above must, wherever possible, use the social value portal for Social Value responses to tenders and for reporting of Social Value throughout the contract.

### **Weighting**

For procurements of £75,000 and above Social Value must be 10% of the overall evaluation scores with the remaining 90% split between cost and quality.

### **Major Planning Applications**

We cannot require developers to demonstrate social value when they submit a planning application until the East Herts District Plan is reviewed. We will, however, ask developers, on a voluntary basis, to consider social value as part of the pre-application public consultation process and to submit, as part of their application, evidence on how social value benefits will be delivered and sustained by a development through its lifecycle.

In doing this we will be guided by “Embedding Social Value into Planning” by the Social Value Portal and commend it to developers.

## **How will we measure social value?**

We will measure social value using the National Social Value Measurement Framework – or National TOMs for short. It is a method of reporting and measuring social value to a consistent standard. It provides the golden thread between an organisation’s overarching strategy and vision, to the delivery of that vision. TOMS stands for:

- Themes - visionary social value areas
- Outcomes - the positive changes within communities the council wants to see
- Measures - a set of measurements used to achieve outcomes.

The National TOMS convert all social value offers into a monetary amount that can be used to score the social value offered consistently across tenders. As part of tender submissions and during the life of the contract we will ask bidders and the successful contractor to record social value on the National TOMs portal [socialvalueportal.com](https://socialvalueportal.com)

## **What are the social value outcomes we want to achieve?**

Through social value we intend to deliver on the priorities set out in the Corporate Plan:

- Sustainability
- Enabling our communities
- Economic growth
- Digital

There is an expectation that the East Herts Community Alliance will be provided with the opportunity to speak to potential bidders so that bidders can prepare social value offers that maximise returns to the community and voluntary sector. This policy commits East Herts Council to work with the Community Alliance to produce an East Herts Community Social Value Charter that ensures that social value always reflects local community priorities. The table overleaf sets out the council’s priority outcomes for 2022 - 24 to assist bidders and evaluators.

## Our Social Value priorities 2022 - 2024

Theme	Outcome	Measure
<b>Sustainability</b>	Sustainability at the heart of everything we do	Low emission vehicles in the supply chain
	Sustainability at the heart of everything we do	Plastic recycling
	Sustainability at the heart of everything we do	Circular economy – local partnerships
	Sustainability at the heart of everything we do	Reduced food waste
<b>Enabling our Communities</b>	Healthy workplaces	Staff health and wellbeing
	Supporting the VCSE to support our communities	Equipment or resources donated to VCSEs (Voluntary, Community and Social Enterprises)
	Supporting the VCSE to support our communities	Spend with VCSEs
	Supporting the VCSE to support our communities	Expert advice to help VCSEs and MSMEs (Micros, Small and Medium Enterprises) decarbonise
	We will ensure all voices in the community are heard	Gender balance in the workforce
	We will ensure all voices in the community are heard	Ethnic diversity in the workforce
<b>Economic growth</b>	More local people in employment	Percentage locally employed
	More local people in employment	Jobs for homeless people
	More local people in employment	Jobs for people who were Not in Employment, Education or Training
	More local people in employment	Prompt payment – invoices paid in 30 days

Theme	Outcome	Measure
	Skills building for the future	Apprenticeship opportunities
	Spending more in the local economy	Local supply chain spend
<b>Digital by default</b>	Helping people to use digital services	Digital skills for disadvantaged groups
	Helping people to use digital services	Cyber security risks awareness
	Helping people to use digital services	Donating old ICT equipment to community groups

## How will we monitor delivery of social value?

We will monitor delivery using the social value portal. We will require contractors to upload their delivery against their social value commitments and the supporting evidence. We will report our social value gains to the community using an easy to understand dashboard format that looks like this:



## How will we embed social value in the council and ensure we are maximising social value?

We have assessed ourselves against the Social Value Maturity Index today and where we should be by implementing this strategy. There is an action plan of how we can improve which results from this assessment. This policy commits East Herts Council to improve its score each year by embedding and developing social value. This improvement journey will be reported to the Executive annually.

## When will this policy be reviewed?

We will review our social value priorities and our progress against the Social Value Maturity Index annually. This policy will be reviewed no later than 3 years after its adoption by the Executive. The Social Value Priorities list will be reviewed annually to ensure it remains in line with our Corporate Plan priorities.

## Other National TOMS which have not been prioritised but may be offered by bidders

Theme	Outcome	Measure
Sustainability	Sustainability at the heart of everything we do	Programme to achieve net zero carbon by 2030
Sustainability	Sustainability at the heart of everything we do	Supporting a just transition
Sustainability	Sustainability at the heart of everything we do	Low Carbon Apprenticeship opportunities
Sustainability	Sustainability at the heart of everything we do	Opportunities for MSMEs to tender for decarbonisation work
Sustainability	Sustainability at the heart of everything we do	Carbon emissions are reduced
Sustainability	Sustainability at the heart of everything we do	Contribution to own carbon offset fund by 2030
Sustainability	Sustainability at the heart of everything we do	Carbon certification
Sustainability	Sustainability at the heart of everything we do	Carbon reduction from energy efficiency — building operations
Sustainability	Sustainability at the heart of everything we do	Carbon reduction from Increased renewable energy – building operations
Sustainability	Sustainability at the heart of everything we do	Buildings meeting energy efficiency target
Sustainability	Sustainability at the heart of everything we do	Carbon reduction from reduced energy use and energy efficiency measures
Sustainability	Sustainability at the heart of everything we do	Carbon reduction from increased renewable energy – on site
Sustainability	Sustainability at the heart of everything we do	Savings in contract-related carbon
Sustainability	Sustainability at the heart of everything we do	Carbon offset fund payments
Sustainability	Sustainability at the heart of everything we do	Car miles saved
Sustainability	Sustainability at the heart of everything we do	(Low emission) car miles driven
Sustainability	Sustainability at the heart of everything we do	Corporate travel schemes
Sustainability	Sustainability at the heart of everything we do	% Fleet at least Euro 6 or LEV
Sustainability	Sustainability at the heart of everything we do	Fleet emissions programme
Sustainability	Sustainability at the heart of everything we do	Air quality regulations
Sustainability	Sustainability at the heart of everything we do	Investments in environmental initiatives
Sustainability	Sustainability at the heart of everything we do	Investments in sustainable reforestation
Sustainability	Sustainability at the heart of everything we do	Offsets or mitigation initiatives on biodiversity
Sustainability	Sustainability at the heart of everything we do	Environmental conservation volunteering
Sustainability	Sustainability at the heart of everything we do	Support to MSMEs and VCSEs on circular economy solutions
Sustainability	Sustainability at the heart of everything we do	Single use plastics eliminated
Sustainability	Sustainability at the heart of everything we do	Diverting hard to recycle waste
Sustainability	Sustainability at the heart of everything we do	Waste management verification
Sustainability	Sustainability at the heart of everything we do	Water use benchmark
Sustainability	Sustainability at the heart of everything we do	Water efficiency policy
Sustainability	Sustainability at the heart of everything we do	Water saved benchmark
Sustainability	Sustainability at the heart of everything we do	Waste good practice benchmark

Theme	Outcome	Measure
Sustainability	Sustainability at the heart of everything we do	% waste diverted
Sustainability	Sustainability at the heart of everything we do	Tonnes waste diverted
Sustainability	Sustainability at the heart of everything we do	Biocomposites and equivalent
Sustainability	Sustainability at the heart of everything we do	Donation of food waste
Sustainability	Sustainability at the heart of everything we do	Refurbished furniture
Sustainability	Sustainability at the heart of everything we do	Redesign to minimise food waste
Sustainability	Sustainability at the heart of everything we do	Sustainable procurement commitments
Sustainability	Sustainability at the heart of everything we do	Supply chain carbon certification
Sustainability	Sustainability at the heart of everything we do	Climate change training
Sustainability	Sustainability at the heart of everything we do	New buildings achieving BREEAM rating
Sustainability	Sustainability at the heart of everything we do	Assets undergoing climate risk assessment
Sustainability	Sustainability at the heart of everything we do	Assets with reduced sustainability risk
Sustainability	Sustainability at the heart of everything we do	Buildings achieving BREEAM IN-USE
Enabling Our Communities	Healthy workplaces	Workplace screening
Enabling Our Communities	Healthy workplaces	Mental health campaigns for staff
Enabling Our Communities	Healthy workplaces	Implementation of mental health core standards for staff
Enabling Our Communities	Healthy workplaces	Pro bono responsible budgeting support
Enabling Our Communities	Healthy workplaces	Workplace screening in construction
Enabling Our Communities	Supporting the VCSE to support our communities	Expert advice to VCSEs and MSMEs
Enabling Our Communities	Supporting the VCSE to support our communities	Voluntary hours donated to VCSEs
Enabling our communities	We will ensure all voices in the community are heard	Recruitment to achieve gender balance in workforce
Enabling our communities	We will ensure all voices in the community are heard	Recruitment to achieve ethnic diversity in workforce
Enabling Our Communities	We will ensure all voices in the community are heard	Equality and diversity training
Enabling Our Communities	We will ensure all voices in the community are heard	Gender pay gap
Enabling Our Communities	We will ensure all voices in the community are heard	Initiatives to reduce the gender pay gap
Economic growth	More local people in employment	Local direct employment
Economic growth	More local people in employment	Local direct (own) employment – TUPE transfers
Economic growth	More local people in employment	Local direct (own) and supply chain employment in targeted areas
Economic growth	More local people in employment	Local indirect employment – supply chain only
Economic growth	More local people in employment	Employers' fairs
Economic growth	More local people in employment	Union Recognition Agreements or Equivalent
Economic growth	More local people in employment	Good Work / Fair Work
Economic growth	More local people in employment	Jobs for long-term unemployed people

Theme	Outcome	Measure
Economic growth	More local people in employment	Jobs for mothers returning to work
Economic growth	More local people in employment	Jobs for survivors of modern slavery
Economic growth	More local people in employment	Jobs for care leavers
Economic growth	More local people in employment	Jobs for ex-offenders aged 18+
Economic growth	More local people in employment	Jobs for ex-offenders aged 18—24
Economic growth	More local people in employment	Jobs for people with disabilities
Economic growth	More local people in employment	Jobs for armed forces veterans with disabilities
Economic growth	More local people in employment	Employability support for people over 24
Economic growth	More local people in employment	Staff paid the Living Wage
Economic growth	More local people in employment	Supply chain partners paying the Living Wage
Economic growth	More local people in employment	Number of Employees paid the Real Living Wage
Economic growth	More local people in employment	Contracts with commitments to ethical procurement
Economic growth	More local people in employment	Initiatives to identify and manage Modern Slavery
Economic growth	More local people in employment	Modern Slavery – supply chain audits
Economic growth	More local people in employment	Managing Modern Slavery – people employed in the supply chain
Economic growth	Skills building for the future	School and College Visits
Economic growth	Skills building for the future	Site Visits
Economic growth	Skills building for the future	Continuous Professional Development
Economic growth	Skills building for the future	Training opportunities
Economic growth	Skills building for the future	Training opportunities for people facing barriers to employment
Economic growth	Skills building for the future	Apprenticeship opportunities for people facing barriers to employment
Economic growth	Skills building for the future	Employability support for young people
Economic growth	Skills building for the future	Employment taster days
Economic growth	Skills building for the future	Work placements (unpaid)
Economic growth	Skills building for the future	Work placements (paid)
Economic growth	Skills building for the future	Work placements (paying Real Living Wage)
Economic growth	Spending more in the local economy	Meet the buyer events
Economic growth	Spending more in the local economy	Local supply chain spend in targeted areas
Economic growth	Spending more in the local economy	Local supply chain spend with MSMEs
Economic growth	Spending more in the local economy	Local supply chain spend with Micro and Small enterprises



# Social Value Maturity Index

## Action Plan

Organisation: **East Herts Council**  
 Present Performance: **Incomplete/Non Compliant**  
 Future Target: **Mature**

	Present	Future
A <b>Policy &amp; Scope</b>	Incomplete/Non Compliant	Leader
B <b>Internal Management</b>	Follower	Innovator
C <b>Measurement: Themes, Outcomes and Measures</b>	Follower	Leader
D <b>Commissioning</b>	Follower	Follower
E <b>Procurement</b>	Incomplete/Non Compliant	Leader
F <b>Market Engagement and Partnerships</b>	Incomplete/Non Compliant	Mature
G <b>Contract Management</b>	Follower	Mature
H <b>Cross Sector Collaboration</b>	Incomplete/Non Compliant	Follower
I <b>Reporting</b>	Follower	Mature
J <b>Governance and Accountability</b>	Incomplete/Non Compliant	Follower



	To reach 'Follower'	To reach 'Mature'	To reach 'Leader'	To reach 'Innovator'
<b>Policy &amp; Scope</b>	Ensure that you are compliant with the Act as a minimum.	Develop a process to identify contracts that should include Social Value, beyond the OJEU threshold, and include in your policy.	Ensure that your policy requires Social Value both above and below the OJEU threshold. Develop a strategy to tailor the required Social Value contribution to the size and scope of the contract. Embed Social Value into the Frameworks that fall under the Act.	Go beyond the Act and apply Social Value requirements to Grants, Supplies, Works, Services and Planning. Develop specific policies on stakeholder involvement, materiality assessment and valuation.
<b>Internal Management</b>		Appoint a Councillor or Cabinet Board member to report/lead on Social Value.	Appoint an officer to have responsibility for reporting, managing and delivering Social Value across procurement and commissioning. Implement a training programme for officers involved in Social Value, and provide resources to assist them in implementing the Social Value Strategy.	Add managing and delivering Social Value to the responsibilities of all officers. Introduce Social Value as a KPI in Cabinet/Scrutiny Committee meetings.
<b>Measurement: TOMs</b>		Introduce a programme to start measuring Social Value in non-financial terms, against an approved set of TOMs. Ensure that there is a Golden Thread linking your Corporate Strategy, Social Value Policy, and the TOMs used to measure Social Value. Include a requirement in your policy to ensure that your approved TOMs are available to suppliers through your website.	Start to measure Social Value in financial as well as non-financial terms, against the approved TOMs. Start a process to update TOMs annually, supported by evidence from case studies and ongoing contracts. Introduce a system to weight outcomes according to Council and local priorities.	Include processes to incorporate changes to local community priorities in the TOMs annually.

[Note](#)

<p><b>Commissioning</b></p>			<p>Introduce a process to assess new contracts before procurement has started, to understand their potential contribution to Social Value. Adjust the TOMs against your overall Social Value Strategy as it is updated. Add Social Value to guidance, resources, and templates for self service projects.</p>	
<p><b>Procurement</b></p>	<p>Ensure that Social Value is mentioned in Services related tenders. Ask tenderers to make Social Value commitments, to improve the economic, social and environmental wellbeing of the local areas.</p>	<p>Mention Social Value across all tenders. In tenders that fall under the Act, include Social Value requirements as part of the Quality Score. Include Social Value weighting in the Quality Score, of between 5 and 10%.</p>	<p>Include Social Value requirements as part of the Quality Score in all tenders. Ensure consistency in Social Value approach within departments by introducing Checks and/or Gateways. Introduce a process to incorporate feedback/lessons learnt within departments.</p>	<p>Ensure consistency in Social Value approach across the organisation by introducing Checks and/or Gateways between departments. Introduce a process to incorporate feedback/lessons learnt across the organisation. Set up a space to share your Social Value Themes, Outcomes and Measures across departments.</p>

<p><b>Market Engagement and Partnerships</b></p>	<p>Initiate a Market Engagement strategy around Social Value. Set up market engagement programmes for specific projects.</p>	<p>Target the business community and third sector to build capacity in delivering Social Value.</p>	<p>Collate or get access to a library of case studies and other examples of Social Value activity. Identify or begin a programme of regular forums for Social Value networking/engagement.</p>	
<p><b>Contract Management</b></p>		<p>Bind specific, targeted Social Value action plans into contracts, and monitor the delivery of Social Value after award.</p>	<p>Undertake performance reviews of contracts and incorporate feedback, to ensure improvement in SV delivery.</p>	
<p><b>Cross Sector Collaboration</b></p>	<p>Implement a system for sharing data on an ad hoc basis for joint procurement/commissioning initiatives.</p>			<p>Identify and share cost savings available through Social Value initiatives. Develop a common reporting method for Social Value.</p>

<p><b>Reporting</b></p>		<p>Introduce annual feedback to Cabinet/Scrutiny Committee on Social Value. Begin Annual Reporting on Social Value progress and delivery.</p>		
<p><b>Governance and Accountability</b></p>	<p>Ensure that the Council/Authority has considered Social Value according to the Act, and this is minuted.</p>	<p>Include Social Value as a core principal, as supported by a published Social Value policy and Implementation Strategy. Publish all Social Value documentation on your website.</p>	<p>Identify a Cabinet Member to have direct oversight of Social Value performance. Embed Social Value into commissioning and procurement, with a ratified policy and published toolkit. Support the implementation of Social Value with an overarching Action Plan.</p>	

*\* The actions in the action plan are defined by your response to each question, and show what must be done to reach your Future Target from your Current Performance for each. Please note that the column headings strictly refer to achieving the different levels for individual questions, rather than your overall performance.*

## East Herts Council

### Executive

**Date of Meeting:** 12<sup>th</sup> July 2022

**Report by:** Cllr George Cutting, Executive Member for Corporate Services

**Report title:** Regulation of Investigatory Powers Act (RIPA) Policy Review

**Ward(s) affected:** ALL

### Summary

The Regulation of Investigatory Powers Act regulates the manner in which certain public bodies, including Local Authorities, may conduct surveillance and access a person's electronic communications. The Council must have an up to date policy governing its use of RIPA.

### RECOMMENDATIONS THAT:

- (a) The Executive considers the content of the report and provides any observations to the Head of Legal and Democratic Services.**
- (b) The revised Regulation of Investigatory Powers Act (RIPA) Policy at Appendix A be adopted.**

### 1.0 Proposal(s)

1.1 This Report updates on the Council's current use of RIPA and reports on a minor change to the policy since it was last reviewed.

### 2.0 Background

2.1 The Council is required to have suitable arrangements and an up to date RIPA Policy in place. The current policy was last

approved by Executive on 7<sup>th</sup> July 2020<sup>1</sup> (updated together with the Social Media in Investigations Policy).

- 2.2 A minor change to the policy is required in line with paragraphs 2.4 to 2.7 below, however the current policy remains fit for purpose in all other regards.
- 2.3 There have been no new RIPA authorisations since the last annual report went to Overview & Scrutiny on 8<sup>th</sup> June 2021<sup>2</sup>.

### **General Update**

- 2.4 The [Covert Human Intelligence Sources \(Criminal Conduct\) Act 2021](#)(CHIS(CC)A) received Royal Assent on 1 March 2021 and went live for the police on 15 September 2021
- 2.5 CHIS(CC)A amends the Regulation of Investigatory Powers Act 2000 and provides an express power to authorise a Cover Human Intelligence Source (CHIS) to participate in conduct which would otherwise constitute a criminal offence. This power is known as a Criminal Conduct Authorisation (CCA).
- 2.6 It is important to note that local authorities have *not* been given these powers and the information is merely included in the updated policy (at paragraph 5.4) for the avoidance of doubt should the matter come up at a future point.
- 2.7 The public authorities able to authorise the use of a CHIS are the intelligence agencies, police, HMRC, HM Forces, the Serious Fraud Office, the Environment Agency, the Financial Conduct Authority, the Food Standards Agency, the Gambling Commission, the Home Office, the Ministry of Justice, the Department of Health and Social Care, the National Crime Agency and the Competition and Market Authority.

### **3.0 Reason(s)**

- 3.1 Whilst the Council does not actively make use of its RIPA powers, it is important that RIPA, the policy and its usage, or otherwise, are kept at the forefront of Members' minds.

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<sup>1</sup> <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=119&MId=3752&Ver=4&J=3>

<sup>2</sup> <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=515&MId=3913&Ver=4&J=4>

- 3.2 Updating the policy to reflect the new CHIS(CC)A displays that the Council is aware of the new legislation and the Members have applied their minds to its existence.

### **Review by the Overview and Scrutiny Committee**

- 3.3 At its meeting of 21<sup>st</sup> June 2022, the Overview and Scrutiny Committee was invited to review the revised policy and make any suggested additions or amendments for consideration by the Executive Member for Corporate Services prior to presenting the policy to the Executive.
- 3.4 No comments were made at this stage and the Overview & Scrutiny Committee was content that the revised policy should be sent to the Executive for adoption.

### **4.0 Options**

- 4.1 To not review the policy or implement the identified changes, this is NOT RECOMMENDED as to do so would inevitably lead to the policy eventually becoming out of date and place the Council in a position where it was not meeting its legal obligations.

### **5.0 Risks**

- 5.1 It is important that the Council continues to operate in accordance with RIPA to ensure that it is able to effectively manage its reputational risk whilst also exercising its legitimate evidence gathering powers in connection with enforcement activity.

### **6.0 Implications/Consultations**

- 6.1 The implications of not regularly reviewing the RIPA Policy are potentially quite serious, including potential breaches of criminal law.

### **Community Safety**

Yes – Allows the Council to legal make use of investigatory practices

governed by RIPA, which could be utilised to protect communities from illegal activities.

### **Data Protection**

No

### **Equalities**

Yes - No RIPA investigations have been conducted by the council and so there is no data against which to assess the potential equalities aspects of RIPA use. If the council sought to use RIPA powers at some point, the equalities aspects would be considered at that time.

The risk of having a policy that is not fit-for-purpose could lead to unintended equalities issues or risk of the perception of this.

### **Environmental Sustainability**

No

### **Financial**

No

### **Health and Safety**

No

### **Human Resources**

No

### **Human Rights**

Yes – The use of powers under RIPA directly affects a person’s right to respect for private and family life under Art 8 of the Human Rights Act. It is imperative that RIPA is utilised correctly so as to make legal those potential intrusions.

### **Legal**

Yes – The Regulation of Investigatory Powers Act 2000 (“RIPA”) enables local authorities to carry out certain types of surveillance activity, as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings providing RIPA is complied with.

The Investigatory Powers Act 2016 (“IPA”) is the main legislation governing the acquisition of communications data. The information obtained as a result of these acquisitions can also be relied upon in court proceedings providing IPA is complied with. Full details of the RIPA requirements and compliance are set out in the Policy, with relevant documents and guidance document available to relevant officers via the intranet should they consider it necessary to use these powers.

### **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

7.1 Appendix A – Updated report with track changes.

### **Contact Member**

Cllr George Cutting, Executive Member for  
Corporate Services

[george.cutting@eastherts.gov.uk](mailto:george.cutting@eastherts.gov.uk)

### **Contact Officer**

James Ellis, Head of Legal and Democratic  
Services

Contact Tel No 01279 502170

[james.ellis@eastherts.gov.uk](mailto:james.ellis@eastherts.gov.uk)

### **Report Author**

As above



## East Herts District Council

### Regulation of Investigatory Powers Act 2000

### Policy

#### Document Control

<b>Organisation</b>	East Hertfordshire District Council
<b>Title</b>	Regulation of Investigatory Powers Act 2000 Policy
<b>Author – name and title</b>	James Ellis, Head of Legal & Democratic Services
<b>Owner – name and title</b>	James Ellis, Head of Legal & Democratic Services
<b>Date</b>	June 2022
<b>Approvals</b>	Executive
<b>Version</b>	1.1
<b>Next Review Date</b>	June 2023

**East Herts Council**

**Regulation of Investigatory Powers Act 2000  
Policy**

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**1. Introduction**

**1.1. Summary**

The Regulation of Investigatory Powers Act 2000 ("RIPA") came into force on 25 September 2000 and sought to regulate covert investigation practices undertaken by a number of bodies, including local authorities.

This Policy is the framework on which East Herts Council ("the Council") applies the provisions of RIPA as it relates to covert surveillance. It must be read in conjunction with the statutory codes of practice issued by the Secretary of State and any additional guidance provided by the Investigatory Powers Commissioner's Office (the "IPCO") (formerly the Office of Surveillance Commissioners - OSC) and individual Services to deal with the specific issues of their service.

## **1.2. Background**

The Human Rights Act 1998 requires the Council to have respect for the private and family life of citizens. However in rare cases, it may be lawful, necessary and proportionate for the Council to act covertly in ways that may interfere with an individual's rights.

The rights conferred by Article 8 of the Human Rights Act are not absolute rights, but qualified right, meaning that it is still possible for a public authority to interfere with those rights provided the following criteria are satisfied;

- (a) It is done in accordance with the law
- (b) It is necessary (as defined in this document); and
- (c) It is proportionate (as defined in this document).

RIPA provides a statutory mechanism for authorising certain types of surveillance. It seeks to ensure that any interference with an individual's right under Article 8 is necessary and proportionate. In doing so, RIPA seeks to ensure both the public interest and the human rights of individuals are suitably balanced.

It is possible that unauthorised surveillance will be a breach of a person's right to privacy under Article 8. Even if surveillance without due authorisation in a particular instance is not illegal, if authorisation is not obtained, the surveillance carried out will not have the protection that RIPA affords.

If the correct procedures are not followed;

- evidence may be disallowed by the courts,
- a complaint of maladministration could be made to the Ombudsman, and/or
- the Council could be ordered to pay compensation

It is therefore essential that this document, along with any further guidance that may be issued from time to time by the Head of Legal and Democratic Services, always be complied with.

### **1.3. Policy Review**

RIPA and this document are essential for the effective, efficient and legal operation of the Council's covert surveillance activity. This document will, therefore be kept under annual review by the Head of Legal and Democratic Services.

Authorising Officers, as defined below, must bring any suggestions for the continuous improvement of this document to the attention of the Head of Legal and Democratic Services, at the earliest possible opportunity.

### **1.4. Scope**

RIPA does not;

- Make unlawful anything that is otherwise lawful
- Impose any new statutory duties, or
- Prejudice or disapply any existing powers available to the Council to obtain information by any means not involving conduct that is governed by RIPA. (For example it does not affect the Council's current powers to obtain information from the DVLA or the Land Registry).

If RIPA procedures are followed correctly the conduct of an investigation will be deemed lawful for all purposes (section 27 RIPA). This protection extends to criminal and civil proceedings, Employment Tribunal hearings and a complaint to either the Local Government Ombudsman or the Investigatory Powers Tribunal. It therefore provides protection both for the Council and any officer who may have been involved in an investigation.

It should also be noted that the requirements of RIPA, and this policy, extends to external agencies working on behalf of the Council. Where such agencies are carrying out the Authority's statutory functions, the Authority remains liable for compliance with its duties. It is essential that all external agencies comply with the regulations, as they are contractually obliged to do so.

RIPA provides a means of authorising certain acts of covert surveillance for a variety of purposes. To fully understand the effects of RIPA, it is essential to understand the various types of activity that are covered, and those that are not permitted, and the purposes that will justify surveillance.

The provisions of RIPA that apply to Local Authorities provide a regulatory framework that permits;

- The use of Directed Surveillance
- The Use of Covert Human Intelligence Sources
- The Acquisition and Disclosure of Communications Data

## **2. Definition of Surveillance**

"Surveillance" includes:

- Monitoring, observing, listening to persons, watching or following their movements, listening to their conversations or their other activities or communications;
- Recording anything monitored, observed or listened to in the course of surveillance; and
- Surveillance by, or with, the assistance of a surveillance device, which will include cameras, video, and listening or recording devices.

Surveillance can be either overt or covert.

### **2.1. Overt Surveillance**

The overwhelming majority of surveillance undertaken by the Council will be done overtly, meaning there will be nothing secretive or hidden about the way it is conducted. In many cases officers will be going about Council business openly (e.g. a routine inspection by an Environmental Health Officer) or will have notified the subject of the investigation that

they are likely to be under surveillance (e.g. where a noisemaker is warned (preferably in writing) that noise will be recorded if it continues.)

Overt surveillance does not require any authorisation under RIPA. Neither does low-level surveillance consisting of general observations in the course of law enforcement (for example, an officer visiting a site to check whether a criminal offence had been committed). Repeated visits may amount to systematic surveillance however, and require authorisation: if in doubt, advice should be sought from the Head of Legal and Democratic Service or the Senior Responsible Officer

Use of body worn cameras should also be overt. Badges should be worn by officers stating body cameras are in use and it should be announced verbally that recording is taking place. In addition, cameras should only be switched on when recording is necessary e.g. when issuing parking tickets.

## **2.2. Covert Surveillance**

Covert surveillance is any surveillance that is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.

It should be noted that if the same outcome can be achieved by overt means then those means need to be fully explored in the first instance. Covert surveillance must only be undertaken when there is no less invasive way of achieving the outcome.

## **3. Directed and Intrusive Surveillance**

### **3.1. Directed Surveillance**

Directed surveillance is surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or specific operation;
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be

reasonably practicable for an authorisation under RIPA to be sought for the carrying out of the surveillance.

### 3.2. Intrusive Surveillance

Currently, local authorities are **not** authorised to carry out intrusive surveillance.

Surveillance becomes intrusive if the covert surveillance:

- a) is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle; or
- b) where a device placed outside consistently provides information of the same or equivalent quality and detail as might be expected if it were in the premises or vehicle, or
- c) is carried out in places ordinarily used for legal consultation, at a time when they are being used for such consultations

Therefore directed surveillance turns into intrusive surveillance if it is carried out involving anything that occurs on residential premises or any private vehicle and involves the presence of someone on the premises or in the vehicle or is carried out by means of a surveillance device **OR** when directed surveillance is carried out in places ordinarily used for legal consultation, at a time when they are being used for such consultations.

Residential premises are any part of premises occupied for residential purposes or living accommodation, including hotel rooms or prison cells. However, it does not include common areas in blocks of flats and similar premises.

A private vehicle is a vehicle used primarily for private purposes by the owner or person entitled to use it.

Commercial premises and vehicles are therefore excluded from intrusive surveillance.

Only the police or other law enforcement agencies are permitted to employ intrusive surveillance. Likewise, the council has no statutory powers to interfere with private property.

#### **4. Identifying directed surveillance**

You should ask yourself the following questions:

##### **4.1. Is the surveillance overt or covert?**

Refer to paragraphs 2.1 and 2.2 above. If your activities are not hidden from the subjects of your investigation, you are not within the RIPA framework at all. If the proposed surveillance is covert in nature, then refer to paragraph 4.2 below.

##### **4.2. Can the same outcome be achieved by overt means?**

Does the surveillance have to be covert? If not, then you should proceed with overt surveillance, including the use of signs and other notification techniques so that the subject of the surveillance is aware it is taking place.

##### **4.3. Is the surveillance for the purposes of a specific investigation or a specific operation?**

Although, the provisions of the Act do not normally cover the use of overt CCTV surveillance systems, since members of the public are aware that such systems are in use, there may be occasions when public authorities use overt CCTV systems for the purposes of a specific investigation or operation. For example, if the CCTV cameras are targeting a particular known offender. In such cases, authorisation for directed surveillance may be necessary.

##### **4.4. Is the surveillance likely to result in the obtaining of private information about a person?**

Private information is defined in RIPA section 26 (10) as including any information relating to a person's private or family life.

The European Court of Human Rights has considered this definition and has found that private life is a broad term not susceptible to exhaustive definition. Aspects such as gender identification, name, sexual orientation and sexual life are important elements of the personal sphere protected by Article 8.

The Article also protects a right to identity and personal development and includes an individual's private or personal relationship with others. It includes an individual's business and family relationships. Family life itself should be treated as extending beyond the formal relationships created by marriage.

**4.5. Is the surveillance otherwise than by way of an immediate response to events or circumstances where it is not reasonably practicable to get authorisation?**

Directed surveillance does not include covert surveillance carried out by way of an immediate response to events or circumstances which, by their very nature, could not have been foreseen. For example, an environmental crime officer would not require an authorisation to conceal themselves and observe a suspicious person which they came across in the course of a routine patrol.

However, if as a result of that immediate response, you undertake a specific investigation you will need authorisation.

**5. Covert Human Intelligence Sources (CHIS)**

A person is a covert human intelligence source ("CHIS") if;

- a) he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c);
- b) he covertly uses such a relationship to obtain information or to provide access to any information to another person; or
- c) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

A purpose is covert, in relation to the establishment or maintenance of a personal or other relationship if, and only if, the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.

A relationship is used covertly, and information obtained is disclosed covertly if, and only if, it is used or disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question.

A member of the public who volunteers information to the Council is not a covert human intelligence source.

Likewise, members of the public who report allegations of anti-social behaviour and are asked to keep a note of incidents will not normally be CHIS either as they are not usually required to establish or maintain a covert relationship.

It should be noted, however, that if the information provided is recorded as potentially useful or actionable, there is potential duty of care to the individual and the onus is on the public authority to manage human sources properly. Authorising Officers should be alive to the possibility of 'status drift'. Authorising Officers, when deciding whether to grant an authorisation, should take account of the difference between a volunteer of information already known to the individual and the relevance of the exploitation of a relationship for a covert purpose.

#### **5.1. Conduct and use**

The conduct or use of CHIS must be authorised in accordance with RIPA.

**Conduct** of a CHIS. This is establishing or maintaining a personal or other relationship with a person for the covert purpose of (or is incidental to) obtaining or passing on information.

**Use** of a CHIS. This includes inducing, asking or assisting a person to engage in the conduct of a source, or to obtain information by means of the conduct of such a source.

The use of a juvenile CHIS may only be authorised for one month at a time.

#### **5.2. Test Purchases**

Carrying out test purchases will not require the purchaser to establish a relationship with the supplier with the covert purpose of obtaining information and, therefore, the purchaser will not normally be a CHIS. For example, authorisation would not normally be required for test purchases carried out in the ordinary course of business (e.g. walking into a shop and purchasing a product over the counter).

By contrast, developing a relationship with a person in the shop, to obtain information about the seller's suppliers of an illegal product will require authorisation as a CHIS. Similarly, using mobile hidden recording devices or CCTV cameras to record what is going on in the shop, or an adult is observing a juvenile test purchase, this will require authorisation, as directed surveillance. In all cases, a prior risk assessment is essential in relation to any young person used for a test purchase.

### **5.3. Security and Welfare**

Only the Chief Executive is able to authorise the use of vulnerable individuals and juvenile CHIS's. The Authorising Officer shall have regard to the special safeguards and provisions that apply to vulnerable individuals and juvenile sources, more particularly set out in the Covert Human Intelligence Source Code of Practice which can be found [here](#).

The Authorising Officer shall ensure that arrangements are in place for the proper oversight and management of sources, including appointing individual officers for each source. The person responsible for the day-to-day contact between the public authority and the source will usually be of a rank or position below that of the Authorising Officer.

Officers using a source shall consider the safety and welfare of that source (even after cancellation of the authorisation), and the foreseeable consequences to others of the tasks they are asked to carry out. The Authorising Officer shall carry out a risk assessment before authorising the source.

### **5.4. Criminal Conduct Authorisations**

The Covert Human Intelligence Sources (Criminal Conduct) Act 2021 (CHIS(CC)A) received Royal Assent on 1 March 2021 and went live for the police on 15 September 2021. CHIS(CC)A amends the Regulation of Investigatory Powers Act 2000 and provides an express power to authorise a CHIS to participate in conduct which would otherwise constitute a criminal offence. This power is known as a Criminal Conduct Authorisation (CCA). It is important to note that local authorities have not been given these powers and it is mentioned here for the avoidance of doubt.

## **6. Communications Data**

The powers contained in Part 1 of Chapter 2 of RIPA permit Local Authorities to obtain information relating to the use of a postal service or telecommunications system for obtaining communications data and the disclosure to any person of such data. For these purposes, communications data includes information relating to the use of a postal service or telecommunications system but does not include the contents of the communication itself, content of e-mails or interaction with websites. Communications data includes subscribers details, names and addresses and telephone numbers of those contacted, billing addresses, account information, web addresses visited etc.

Two types of data (Customer Data or Service Data) are available to local authorities and, when making an application for obtaining or disclosing such data, the applicant must specify exactly which type of information

A third type of data (Traffic data) is not accessible to local authorities.

#### **6.1. Customer data – (Subscriber data, RIPA s21(4))**

Customer data is the most basic. It is data about users of communication services. This data includes:

- Name of subscriber
- Addresses for billing, delivery, installation
- Contact telephone number(s)
- Abstract personal records provided by the subscriber (e.g. demographic information)
- Subscribers' account information – bill payment arrangements, including bank, credit/debit card details
- Other services the customer subscribes to.

#### **6.2. Service data – (Service Use data, RIPA s21(4)(b))**

This relates to the use of the service provider's services by the customer, and includes:

- The periods during which the customer used the service(s)
- Information about the provision and use of forwarding and re-direction services by postal and telecommunications service providers

- 'Activity', including itemised records of telephone calls (numbers called), internet connections, dates and times/duration of calls, text messages sent
- Information about the connection, disconnection and reconnection of services
- Information about the provision of conference calling, call messaging, call waiting and call barring telecommunications services
- Records of postal items, such as records of registered, recorded or special delivery postal items, records of parcel consignment, delivery and collection
- 'Top-up' details for prepay mobile phones – credit/debit card, voucher/e- top up details

### **6.3. Traffic data – (Traffic data, RIPA s21(6))**

In relation to communications means:

- any data identifying or purporting to identify, any person, apparatus or location to or from which the communication is or may be transmitted
- any data identifying or selecting or purporting to identify or select apparatus through which, or by means of which the communication is or may be transmitted
- any data comprising signals for the actuation of apparatus used for the purposes of a telecommunications system for effecting (in whole or in part) the transmission of any communication and
- any data identifying the data or other data as data comprised in or attached to a particular communication but that expression includes data identifying a computer file or computer program access to which is obtained, or which is run by means of the communication to the extent only that the file or program is identified by reference to the apparatus in which it is stored.

## **7. RIPA Authorisation Procedure**

### **7.1. General**

Directed surveillance, the use of CHIS and the acquisition of communications data must be lawfully carried out in strict accordance with the terms of the relevant authorisation and Magistrates Court approval.

The Council can only authorise directed surveillance to prevent and detect conduct which constitutes one or more criminal offences. The criminal offences must be punishable, whether on summary conviction or indictment, by a maximum term of at least 6 months imprisonment or be an offence under:

- a) S146 of the Licensing Act 2003 (sale of alcohol to children);
- b) S147 of the Licensing Act 2003 (allowing the sale of alcohol to children);
- c) S147A of the Licensing Act 2003 (persistently selling alcohol to children); and
- d) S7 of the Children and Young Persons Act 1933 (sale of tobacco etc. to persons under the age of 18)

The Council will only very rarely make use of CHIS so the applicant officer should consult the Head of Legal and Democratic Services before making an application for a CHIS authorisation in order to ensure that the current statutory requirements and best practice are being observed.

Applications for authorisations and notices requesting communications data must be processed through the Council's Home Office accredited single point of contact ("SPoC"). As the need to obtain such information will only very occasionally arise the applicant officer should contact the Head of Legal and Democratic Services before making an application in order to ensure that current statutory requirements and best practice are being observed.

All applications for authorisation must be sought and granted before any surveillance activity takes place. The decision whether or not to authorise an application must not be taken with the benefit of hindsight. This should be borne in mind when submitting an application to the Magistrates' Court.

Once approved, the original authorisation and accompanying paperwork must be forwarded to the RIPA Co-Ordinator (Senior Solicitor – Corporate Legal Team) to allocate the application a Unique Reference Number (URN) and for key details to be entered onto the central register.

## **7.2. Before Making the Application**

Before making an application for an authorisation, the requesting officer must;

- read this policy document,
- determine whether the activity that they are proposing to conduct involves directed surveillance or the use of a CHIS,
- assess whether the activity will be in accordance with the law – is it governed by RIPA,
- assess whether the activity is necessary and why,
- assess whether the activity is proportionate.

If the activity can be conducted overtly or if a less intrusive option is available and practical, then that option should be pursued rather than obtaining a RIPA authorisation.

### **7.3. Special consideration in respect of confidential information**

Particular attention is drawn to areas where the subject of surveillance may reasonably expect a high degree of privacy e.g. where confidential information is involved.

Confidential information consists of personal information (such as medical records or spiritual counselling), confidential journalistic material, confidential discussions between Members of Parliament and their constituents, or matters subject to legal privilege.

#### **Legal privilege**

Generally, this applies to communications between an individual and his/her legal adviser in connection with the giving of legal advice in connection with or in contemplation of legal proceedings. Such information is unlikely ever to be admissible as evidence in criminal proceedings.

If in doubt, the advice of the Head of Legal and Democratic Services should be sought in respect of any issues in this area.

#### **Confidential personal information**

This is oral or written information held in (express or implied) confidence, relating to the physical or mental health or spiritual counselling concerning an individual (alive or dead) who can be identified

from it. Specific examples provided in the codes of practice are consultations between a health professional and a patient, discussions between a minister of religion and an individual relating to the latter's spiritual welfare or matters of medical or journalistic confidentiality.

#### **Confidential journalistic material**

This is material acquired or created for the purposes of journalism and held subject to an undertaking to hold it in confidence.

It should be noted that matters considered to be confidential under RIPA may not necessarily be properly regarded as confidential under section 41 Freedom of Information Act 2000.

Where such information is likely to be acquired, the surveillance may only be authorised by the Chief Executive or, in his absence, the person acting as the Head of Paid Service.

#### **7.4. Who can give Provisional Authorisations?**

Authorisations may only be given by the Authorising Officers listed in Appendix B. Only the Chief Executive can authorise the use of a CHIS, or the acquisition of confidential information (see paragraph 7.3 above).

Applications for the acquisition of Communications data can only be issued by a Home Office accredited single point of contact ("SPoC") (see paragraph 7.8 below)

It will be the responsibility of Authorising Officers who have been duly certified to ensure their relevant members of staff are also suitably trained as 'applicants' so as to avoid common mistakes appearing on forms for RIPA authorisations.

Training will be given, or approved by the Head of Legal and Democratic Services before Authorising Officers are certified to sign any RIPA forms. A central register of all those individuals who have undergone training or a one-to-one meeting with the Head of Legal and Democratic Services, on such matters, will be kept by the Head of Legal and Democratic Services.

Authorising officers should not normally be responsible for authorising operations in which they are directly involved, although it is recognised

that this may sometimes be unavoidable. Where an Authorising Officer authorises such an investigation or operation the central register will highlight this and the Commissioner or inspector will be notified of this during his or her next inspection

Authorising Officers will also ensure that staff who report to them follow this guidance document and do not undertake or carry out any form of surveillance without first obtaining the relevant authorisations in compliance with this document.

Authorising Officers must also ensure that, when sending copies of authorisations and associated documentation to the Head of Legal and Democratic Services, that these are sent in sealed envelopes and marked 'Strictly Private and Confidential'.

Any equipment to be used in any approved surveillance must be properly controlled, recorded and maintained for audit purposes.

## 7.5. Grounds for Authorisation

An Authorising Officer has a number of obligations within the provisions of the Act, which must be met before carrying out any form of surveillance.

An Authorising Officer shall not grant a provisional authorisation for the carrying out of directed surveillance or for the use of a CHIS or for the obtaining or disclosing of communications data unless they have given **personal consideration** to the facts and believes:

- a) that a provisional authorisation is necessary, and
- b) the provisionally authorised investigation is proportionate to what is sought to be achieved by carrying it out

For local authority investigations, provisional authorisation is deemed "**necessary**" in the circumstances of the particular case if it is for the purpose of preventing and detecting crime or of preventing disorder.

Authorisation cannot be sought, and authority must not be given unless you are satisfied that the surveillance is "**proportionate**." You have to make sure that any interference with privacy is justified by the end being sought. Unless the benefit to be obtained from surveillance is significant,

and unless the problem you are seeking to tackle is serious, the use of surveillance is unlikely to be proportionate.

The conduct must also be the least invasive method of achieving the end and the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation must be assessed and taken into account (see Collateral Intrusion below).

Consideration must be given to the seriousness of the offence under consideration. Authorisation for directed surveillance can only be granted if the purpose of the surveillance is the prevention or detection of crime(s) punishable by 6 months imprisonment or more, or relates to the sale or alcohol or tobacco to underage persons. Covert surveillance relating to dog fouling and other minor offences will not be deemed a proportionate activity.

Careful consideration needs to be made by authorising officers of all of these points. Such consideration needs to be demonstrated on the authorisation form in the relevant parts. Authorising Officers must exercise their minds every time they are asked to sign a form. They must never sign or rubber stamp the form without thinking about their personal and the Council's responsibilities.

Any boxes not needed on the form/s must be clearly marked as being 'not applicable' or a line put through the same. Great care must also be taken to ensure accurate information is used and inserted in the correct boxes. Reasons for any refusal of an application must also be kept on the form and retained for future audits.

#### **7.6. Collateral Intrusion**

Before provisionally authorising an investigation, the Authorising Officer shall also take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation or operation; known as collateral intrusion. The investigating officer shall take measures, wherever practicable, to avoid or minimise unnecessary intrusion into the lives of those not directly connected with the investigation or operation.

An application for a provisional authorisation shall include an assessment of the risk of any collateral intrusion. The Authorising Officer

shall take this into account, when considering the proportionality of the surveillance.

Where an operation unexpectedly interferes with the privacy of individuals who were not the subject of surveillance or covered by the authorisation in some other way, the investigating officer should inform the Authorising Officer.

### **7.7. Judicial Approval**

The Council is only able to grant a provisional authorisation or renewal to conduct covert surveillance. No provisional authorisations, nor any surveillance granted under them, will take effect until judicial approval has been sought and granted by a Magistrates' Court.

Once the authorising officer has authorised the directed surveillance or CHIS, the investigating officer who completed the application form should contact the Magistrates' Court to arrange a hearing for the authorisation to be approved by a Justice of the Peace.

The investigating officer will provide the Justice of the Peace with a copy of the original authorisation and the supporting documents setting out the case. This forms the basis of the application to the Justice of the Peace and should contain all information that is relied upon.

In addition the investigating officer will provide the Justice of the Peace with a partially completed judicial application/order form.

The hearing will be in private and the investigating officer will be sworn in and present evidence as required by the Justice of the Peace. Any such evidence should be limited to the information in the authorisation.

The Justice of the Peace will consider whether he/she is satisfied that at the time the authorisation was granted or renewed, there were reasonable grounds for believing that the authorisation was necessary and proportionate.

The Justice of the Peace will also consider whether there continues to be reasonable grounds.

The Justice of the Peace must also be satisfied that the person who granted the authorisation was an appropriate designated person and the

authorisation was made in accordance with any applicable legal restrictions, for example, the crime threshold for directed surveillance has been met.

The Justice of the Peace will record his/her decision on the order section of the judicial application/order form.

A copy of the RIPA form and judicial application/order form will be retained by the Court.

If the authorisation is approved the council may commence the activity. If the Justice of the Peace refuses to approve the authorisation the council may not commence the activity although, if the reason for refusal is a technical error, the council may address this and reapply without going through the internal authorisation process again.

The Justice of the Peace may refuse to approve the authorisation, and quash it. The exercise of this power should not take place until the applicant has at least two business days from the date of the refusal to make representations.

#### **7.8. Provisional Authorisation for Communication Data**

The Act provides two different ways of provisionally authorising access to communications data; through a provisional authorisation under Section 22(3) and by a provisional notice under Section 22(4).

A provisional authorisation would, following judicial approval, allow the authority to collect or retrieve the data itself. A provisional notice is given to a postal or telecommunications operator and requires that operator to collect or retrieve the data and provide it to the authority serving the notice. An Authorising Officer decides whether or not a provisional authorisation should be granted or a provisional notice given.

A provisional authorisation under Section 22(3) may be appropriate where:

- the postal or telecommunications operator is not capable of collecting or retrieving the communications data;
- it is believed the investigation may be prejudiced if the postal or telecommunications operator is asked to collect the data itself;

- there is a prior agreement in place between the authority and the postal or telecommunications operator as to the appropriate mechanisms for the disclosure of data.

Notices and, where appropriate, provisional authorisations for communications data must be channelled through SPoC's. The SPoC is able to advise authorising officers as to whether an authorisation or notice is appropriate.

The Council use the services of the National Anti-Fraud Network (NAFN) for all Communications Data enquiries and as such NAFN performs the role of a SPoC through their qualified SPoC officers. All applicants must be registered with NAFN via the NAFN website at [www.nafn.gov.uk](http://www.nafn.gov.uk)

Applications to obtain communications data should be made on the NAFN standard form available on the NAFN website and submitted in the first instance to the SPoC. If appropriate the SPoC will forward the application to a Council Authorising Officer for either the provisional authorisation of conduct or the provisional issuing of a notice.

If satisfied that the proposed investigation is both necessary and proportionate, the Authorising Officer will return the provisional authorisation or notice to the SPoC who will then liaise with the applicant and the postal/telecommunications company, after the appropriate Judicial Approval has been obtained. The disclosure of data under a notice will only be made to the Authorising Officer.

Communications data, and all copies, extracts and summaries of it must be handled and stored securely. The requirements of the Data Protection Act 2018 and the principles of the Criminal Procedure and Investigations Act 1996 must be strictly followed.

## **8. Activities by other public authorities**

The investigating officer shall make enquiries of other public authorities e.g. the police whether they are carrying out similar activities if he considers that there is such a possibility in order to ensure that there is no conflict between the activities of this Council and those other public authorities.

## **9. Joint Investigations**

When some other agency has been instructed on behalf of the Council to undertake any action under RIPA, this document and the forms in it must be used (as per normal procedure) and the agency advised or kept informed, as necessary, of the various requirements. They must be made aware explicitly what they are authorised to do.

When some other agency (e.g. police, Customs & Excise, Inland Revenue etc.):

- a) wishes to use the Council's resources (e.g. CCTV), that agency must use its own RIPA procedures and, before any officer agrees to allow the Council's resources to be used for the other agency's purposes, they must obtain a copy of that agency's RIPA form for the record and/or relevant extracts from the same which are sufficient for the purposes of protecting the Council and the use of its resources
- b) wishes to use the Council's premises for their own RIPA action, the officer should, normally, co-operate with the same, unless there are security or other good operational or managerial reasons as to why the Council's premises should not be used for the agency's activities. In such cases, the Council's own RIPA forms should not be used as the Council is only assisting and not being involved in the RIPA activity of the external agency being involved in the RIPA activity of the external agency.

In terms of (a), if the police or other agency wish to use the Council's resources for general surveillance, as opposed to specific RIPA authorisations, an appropriate letter requesting the proposed use, remit, duration, details of who will be undertaking the general surveillance and the purpose of it must be obtained from the police or other agency before any Council resources are made available for the proposed use.

## **10. Duration, reviews, renewals and cancellation of authorisations**

### **10.1. Duration**

Authorisations must be reviewed in the time stated and cancelled once no longer needed.

Authorisations last for:

- a) 12 months from the date of the judicial approval for the conduct or use of a source

- b) three months from the date of judicial approval for directed surveillance
- c) one month from the date of judicial approval for communications data, or earlier if cancelled under Section 23(8) of the Act.

However, whether the surveillance is carried out/conducted or not in the relevant period, does not mean that the authorisation is spent. Authorisations do not expire, they have to be reviewed, or cancelled if no longer required.

### **10.2. Reviews**

The Authorising Officer shall undertake regular reviews of authorisations to assess the need for the surveillance to continue. The results of a review should be recorded on the central record of authorisations.

Where the surveillance provides access to confidential information or involves collateral intrusion the officer should conduct frequent reviews.

### **10.3. Renewals**

If at any time before an authorisation ceases to have effect, it is necessary for the authorisation to continue for the purpose for which it was given, it may be renewed in writing for a further period of 3 calendar months, beginning with the day when the original authorisation would have expired. Magistrates Court approval is required before a renewal takes effect.

Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisation and are approved by the Magistrates' Court. The renewal should be kept/recorded as part of the central record of authorisations.

The Authorising Officer must consider the matter afresh, including taking into account the benefits of the surveillance to date and any collateral intrusion that has occurred.

Authorisations can be renewed in writing shortly before the maximum period has expired. The renewal will begin on the day when the authorisation would have expired, provided the necessary judicial approval has been obtained.

An authorisation cannot be renewed after it has expired.

A further requirement in relation to renewal of a CHIS is that judicial approval will only be granted if the Magistrates are satisfied that a review has been carried out, which considers:

- the use made of the source in the period since authorisation was granted (or the last renewal); and
- the tasks given to the source during that period, and the information obtained from the conduct or use of the source

For the purposes of making an Order, the Magistrates have considered the results of that review.

#### **10.4. Cancellations**

The Authorising Officer must cancel an authorisation if they become satisfied that the surveillance is no longer required or appropriate.

Authorisations should not be allowed simply to lapse. The duty to cancel a notice falls on the Authorising Officer who issued it.

The Authorising Officer must then cancel the Application without delay. When cancelling the authorisation the Authorising Officer is required to consider whether the surveillance was effective, necessary and met its objectives. Cancellations must be made using the cancellation form and should briefly detail what product(s) resulted from the surveillance.

When cancelling an authorisation, the Authorising Officer must ascertain what recorded material has been obtained by the use of directed surveillance. The Authorising Officer should comment on the recorded material and how it is to be managed or used thereafter. If the matter is not proceeding to a prosecution, the Authorising Officer must be satisfied that any recorded material has been securely destroyed.

In the case of a notice issued in respect of communications data, the relevant postal or telecommunications operator will be informed of the cancellation.

### **11. Record Management**

#### **11.1. Central record of all Authorisations**

The Head of Legal and Democratic Services shall hold and monitor a centrally retrievable record of all provisional and judicially approved authorisations. The Authorising Officer must notify and forward a copy of any provisional notice or authorisation granted, renewed or cancelled and any judicial approval received or refused within 1 week of the event to the Head of Legal and Democratic Services to ensure that the records are regularly updated.

The record will be made available to the relevant Commissioner or an Inspector from the Investigatory Powers Commissioner's Office. These records will be retained for a period of 5 years from the ending of the authorisation. A record will be kept of the dates on which the authorisation notice is started and cancelled.

The Head of Legal and Democratic Services will monitor the submission of provisional and judicially approved authorisations and notices and give appropriate guidance, from time to time, or amend any provisional or draft document as necessary. The records submitted to the Head of Legal and Democratic Services, shall contain the following information:

- a) the type of authorisation or notice
- b) the date the provisional authorisation or notice was given;
- c) name and rank/grade of the authorising officer;
- d) the date judicial approval was received or refused;
- e) the unique reference number (URN) of the investigation or operation;
- f) the title of the investigation or operation, including a brief description and names of subjects, if known;
- g) if the authorisation or notice is renewed, when it was renewed and who authorised the renewal, including the name and rank/grade of the authorising officer and the date of judicial approval;
- h) whether the investigation or operation is likely to result in obtaining confidential information;
- i) the date the authorisation or notice was cancelled.

#### **11.2. Records maintained in the Department**

The Authorising Officer shall maintain the following documentation, which need not form part of the centrally retrievable record:

- a) a copy of the application and provisional authorisation or notice together with a copy of any order of judicial approval or refusal, as well as any supplementary documentation and notification of the approval given by the Authorising Officer;
- b) a record of the period over which the surveillance has taken place;
- c) the frequency of reviews prescribed by the Authorising Officer;
- d) a record of the result of each review of the authorisation or notice;
- e) a copy of any renewal of an authorisation or notice, together with judicial approval or refusal and the supporting documentation submitted when the renewal was requested;
- f) the date and time when any instruction was given by the Authorising Officer,
- g) the unique reference number for the authorisation (URN)

Each form must have a URN. The Authorising Officers will issue the relevant URN to applicants. The cross-referencing of each URN takes place within the form for audit purposes. Rejected forms will also have URN's.

### **11.3. Records relating to a CHIS**

Proper records must be kept of the authorisation and use of a CHIS. An Authorising Officer must not grant a provisional authorisation for the use or conduct of a CHIS unless he believes that there are arrangements in place for ensuring that there is at all times a person with the responsibility for maintaining a record of the use made of the CHIS.

The records shall contain the following information:

- a) the identity of the source;
- b) the identity, where known, used by the source;
- c) any relevant investigating authority other than the Council;
- d) the means by which the source is referred to within each relevant investigating authority;
- e) any other significant information connected with the security and welfare of the source;
- f) any confirmation made by a person granting or renewing an authorisation for the conduct or use of a source that the information in paragraph (d) has been considered and that any identified risks to the security and welfare of the source have

- where appropriate been properly explained to and understood by the source;
- g) the date when, and the circumstances in which, the source was recruited;
  - h) the identities of the persons who, in relation to the source;
    - i. hold day-to-day responsibility for dealing with the source and for the source's security and welfare
    - ii. have a general oversight of the use made of the source (not to be the person identified in h) i.
    - iii. have responsibility for maintaining a record of the use made of the source
  - i) the periods during which those persons have discharged those responsibilities;
  - j) the tasks given to the source and the demands made of him in relation to his activities as a source;
  - k) all contacts or communications between the source and a person acting on behalf of any relevant investigating authority;
  - l) the information obtained by the conduct or use of the source;
  - m) any dissemination of information obtained in that way; and
  - n) in the case of a source who is not an undercover operative, every payment, benefit or reward and every offer of a payment, benefit or reward that is made or provided by or on behalf of any relevant investigating authority in respect of the source's activities for the benefit of that or any other relevant investigating authority.

Records which reveal the name(s) of the CHIS should only be disclosed to persons to the extent that there is a need for access to them; if legally necessary; or if ordered by any Court.

## **12. Retention and destruction**

Generally, all material (in whatever media) produced or obtained during the course of investigations subject to RIPA authorisation should be processed, stored and destroyed in accordance with the requirements of the Data Protection Act 2018, General Data Protection Regulation (GDPR) (EU) 2016/679, the Freedom of Information Act 2000 and any other legal requirements, including those of confidentiality and the Council's policies and procedures regarding document retention.

Material obtained from properly authorised surveillance or a CHIS may be used in other investigations. Arrangements shall be in place for the handling,

storage and destruction of material obtained through the use of covert surveillance, a CHIS or the obtaining or disclosure of communications data.

Authorising Officers must ensure compliance with the appropriate data protection requirements and any relevant Corporate Procedures relating to the handling and storage of material.

### 13. Social Media Sites

Whilst it is the responsibility of an individual to set privacy settings to protect unsolicited access to private information, and even though data may be deemed published and no longer under the control of the author, it is unwise to regard it as “open source” or publicly available; the author has a reasonable expectation of privacy if access controls are applied. In some cases data may be deemed private communication still in transmission (instant messages for example).

Where privacy settings are available but not applied the data may be considered open source and an authorisation is not usually required. Repeat viewing of ‘open source’ sites, however, may constitute directed surveillance on a case by case basis and this should be borne in mind e.g. if someone is being monitored through their Facebook profile for a period of time and a record of the information is kept for later analysis, this is likely to require a RIPA authorisation for directed surveillance.

To avoid the potential for inadvertent or inappropriate use of social network sites in investigative and enforcement roles, Council Officers should be mindful of any relevant guidance and the Council’s separate policy regarding the use of **Social Networking Sites and Conduct of Investigations**.

The Home Office Revised Code of Practice on Covert Surveillance and Property Interference, published in August 2018, provides the following guidance in relation to online covert activity:

*The growth of the internet, and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage*

*privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.*

*The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide detail on where a CHIS authorisation may be available for online activity).*

*In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.*

*As set out below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.*

*Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social*

*media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.*

*Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online.'*

#### **14. Scrutiny of investigatory bodies**

The Investigatory Powers Commissioner's Office independently scrutinises the use of RIPA powers by the investigatory bodies that are subject to it.

The Commissioners will inspect Councils to ensure compliance with RIPA and can audit/review the Council's policies and procedures, and individual authorisations. Further detail can be found at <https://www.ipco.org.uk/>

#### **15. Elected Members**

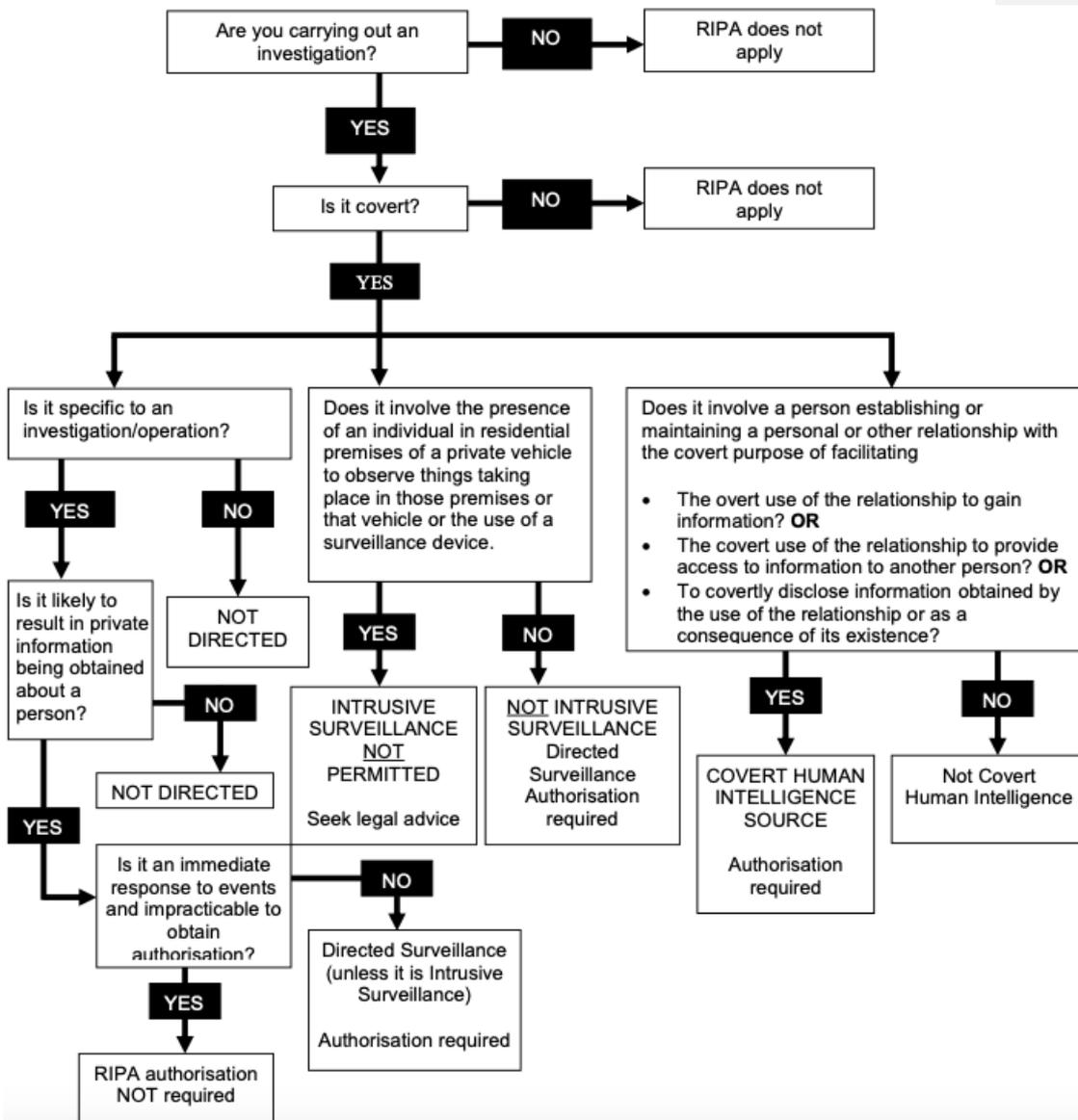
The elected members of the Council will review the council's use of RIPA and the authority's policy and guidance documents at least once a year. They will also be kept informed on a quarterly basis to ensure that it is being used consistently with the council's policy and that the policy remains fit for purpose. Members will not, however, be involved in making decisions on specific authorisations.

APPENDIX A

DIRECTED SURVEILLANCE

Regulation of Investigatory Powers Act 2000

Do you need Authorisation?



## APPENDIX B

### List of Authorised and Responsible Officers

<b>RIPA Authorising Officers</b>	Chief Executive, Deputy Chief Executive, Head of Operations, Head of Housing and Health Head of Planning
<b>Authorising operations where confidential information may be obtained</b>	Chief Executive only
<b>CHIS Authorising Officer</b>	Chief Executive only
<b>CHIS Controller/Handler</b>	Head of Operations Head of Housing and Health Head of Planning
<b>Senior Responsible Officer</b>	Head of Legal and Democratic Services

Please note:

- Where use of a CHIS is authorised, the head of the directorate carrying out the activity shall usually act as the CHIS Handler, with the CHIS Controller role being allocated by the Chief Executive.
- Authorising Officers must be “an assistant chief officer or investigations manager” or above.
- The Authorising Officers should not be directly involved in the investigation.

## APPENDIX C i

### **Application Forms**

#### **Directed Surveillance**

##### **Application**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/application-directed-surveillance?view=Binary>

##### **Review**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/review-directed-surveillance?view=Binary>

##### **Renewal**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/renewal-directed-surveillance?view=Binary>

##### **Cancellation**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/cancellation-directed-surveillance?view=Binary>

##### **Judicial Approval**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/local-authority-ripa-guidance/approval-order-form?view=Binary>

## APPENDIX C ii

### **Application Forms**

#### **Covert Human Intelligence Sources (CHIS)**

##### **Application**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/chis-application?view=Binary>

##### **Review**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/chis-review?view=Binary>

##### **Renewal**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/chis-renewal?view=Binary>

##### **Cancellation**

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/chis-cancellation?view=Binary>

**APPENDIX C iii**

**Application Form for Communications Data**

See Home Office website:

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/communications-data1.doc?view=Binary>

## APPENDIX D

### **Codes of Practice and Government Guidance**

All current Government Codes of Practice are available on the Gov.uk website:

<https://www.gov.uk/government/collections/ripa-codes#current-codes-of-practice>

### **Protection of Freedom Act 2012 – Changes to provisions under the Regulation of Investigatory Powers Act 2000 (RIPA)**

See Home Office website:

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/local-authority-ripa-guidance/local-authority-england-wales?view=Binary>

### **Acquisition and Disclosure of Communications Data**

See Home Office website:

<http://www.homeoffice.gov.uk/publications/counter-terrorism/ripa-forms/code-of-practice-acquisition?view=Binary>